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DEPARTMENT OF TRADE AND COMMERCE

Government
Publications

Dominion Bureau of Statistics

Vital Statistics Division

DRAFT MODEL

VITAL STATISTICS ACT

for consideration by the

DOMINION-PROVINCIAL CONFERENCE

ON VITAL STATISTICS

to be convened

December 1, 1947.

Prepared under Authority of
the Hon. James A. MACKINNON, M.P.,
Minister of Trade and Commerce

OTTAWA, CANADA

October 1, 1947.

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DEPARTMENT OF DEFENSE COMMISSION

SECRETARY OF DEFENSE

DEFENSE SECRETARY

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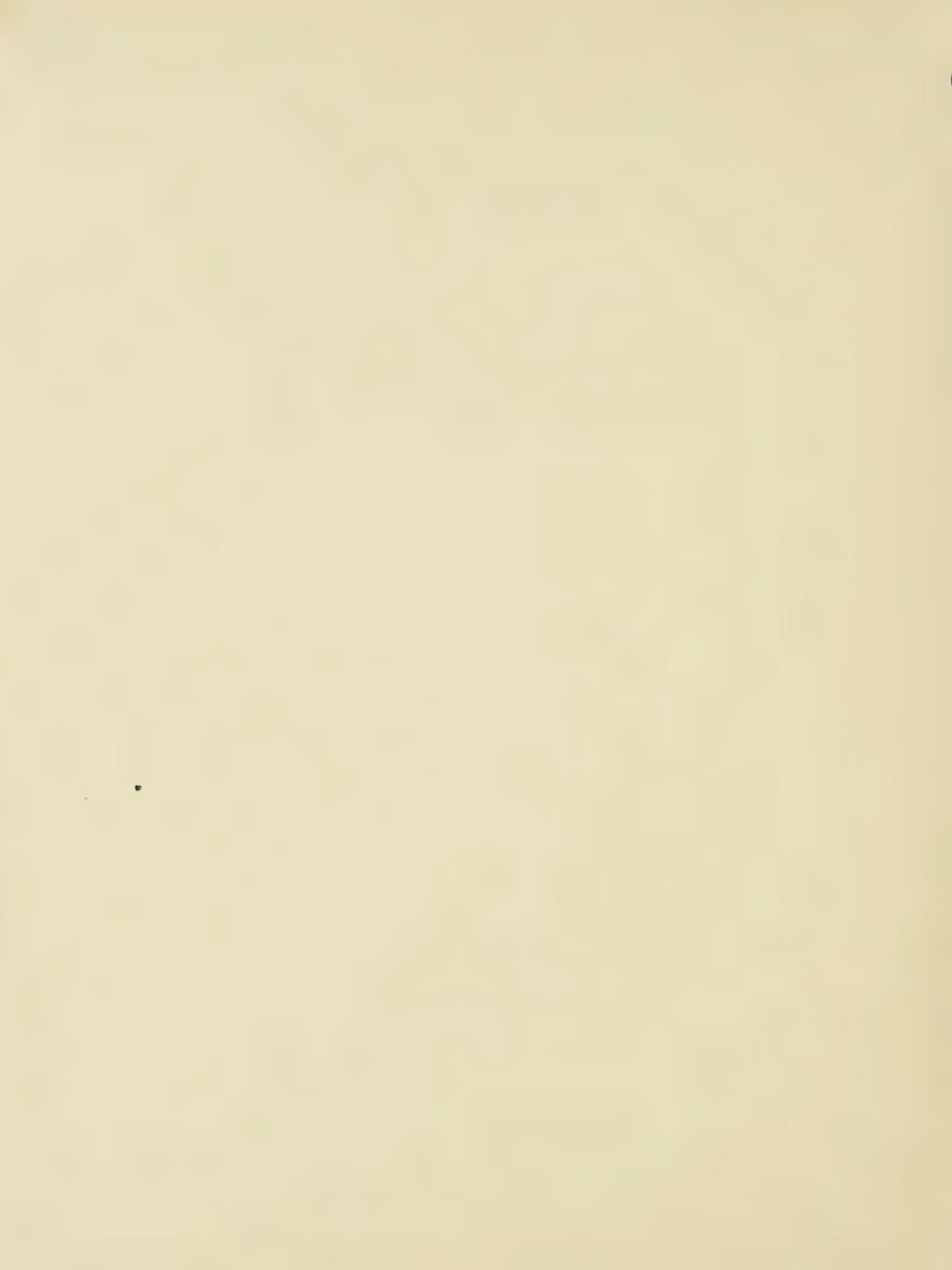
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INTRODUCTION

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DRAFT MODEL VITAL STATISTICS ACT

INTRODUCTION

This draft Model Vital Statistics Act has been prepared at the suggestion of the Provinces by a Committee of the Vital Statistics Division of the Dominion Bureau of Statistics for consideration of, and as a basis for discussion by, the provincial officers in charge of vital statistics, in joint conference with the Legislative Counsels of the Provinces and representatives of national organizations interested in vital statistics. The purpose of the draft is to set forth the principles and requirements of a Vital Statistics Act which, from the technical point of view, are considered necessary in order to ensure, in the simplest and most efficient manner, a system for the complete and accurate registration of vital events.

Though the Provincial Governments exercise authority in the matter of registration, the main provisions of the Provincial Vital Statistics Acts have been based, generally speaking, on the Model Vital Statistics Act which was prepared by the Dominion Bureau of Statistics and discussed at two Dominion-Provincial Conferences on Vital Statistics

held in 1918. The agreement arising out of these Conferences was confirmed by Order in Council P.C. 693, dated the 22nd of April, 1919, which provides:

"That the Model Vital Statistics Act prepared by the Dominion Bureau of Statistics, as ratified at the Conferences aforesaid, should form the basis of the Vital Statistical Legislation of the several Provinces."

Regulation 10 passed under the Order in Council reads in part as follows:

"The provisions of the foregoing Regulations shall apply only to such Provinces as shall adopt the 'Model Act' as the basis of their legislation on vital statistics or have enacted legislation which conforms to the salient features of the 'Model Act'"

Since 1919 there has been continuous cooperation between the officials in charge of Vital Statistics in the Provincial and Federal Governments. As a result of the establishment of the Vital Statistics Council of Canada, by Order in Council P.C. 4851, dated the 31st of July, 1945, this cooperation has been made more effective. The purpose of the Vital Statistics Council is to provide opportunity for provincial and federal officials to discuss

jointly problems of registration and of the collection and compilation of vital statistics, with the object of securing greater uniformity and comparability.

In May, 1947, the Vital Statistics Council passed a resolution requesting the Minister of Trade and Commerce to call a special joint Conference for the purpose of discussing the provisions of a new Model Vital Statistics Act. It has become apparent that the Model Act of 1918 no longer fully meets the needs of present day registration, and it was the general feeling that the study of new uniform legislation was essential. Accordingly, the Minister of Trade and Commerce has issued invitations to the members of the Vital Statistics Council, to the Legislative Counsels of the Provinces, as well as to representatives of national organizations interested in vital statistics, to attend the Conference which will convene on December 1st, 1947.

To assist in drafting the proposed Model Vital Statistics Act into legislative form, the Conference of Commissioners on Uniformity of Legislation in Canada, at its meeting in August of this year, appointed a special Committee, and arrangements are being made to secure the most effective cooperation between the two groups. When agreement on the part of the forthcoming Conference has

been secured with regard to the principles and requirements of the new Model Act from the technical point of view, the document will be referred to the special Committee appointed by the Commissioners on Uniformity of Legislation. The draft Model Act, as amended, will then be reviewed by the Vital Statistics Council at its meeting in May, 1948, following which the Attorney General of one of the Provinces will be requested to have the subject placed on the agenda of the next meeting of the Commissioners on Uniformity of Legislation, to be held in August, 1948. This body will then transmit the draft Model Act, as amended, to the Provinces and to the Federal Department responsible for the administration of Yukon and the Northwest Territories, with a recommendation that its provisions be considered for possible incorporation into their vital statistics legislation on a uniform basis.

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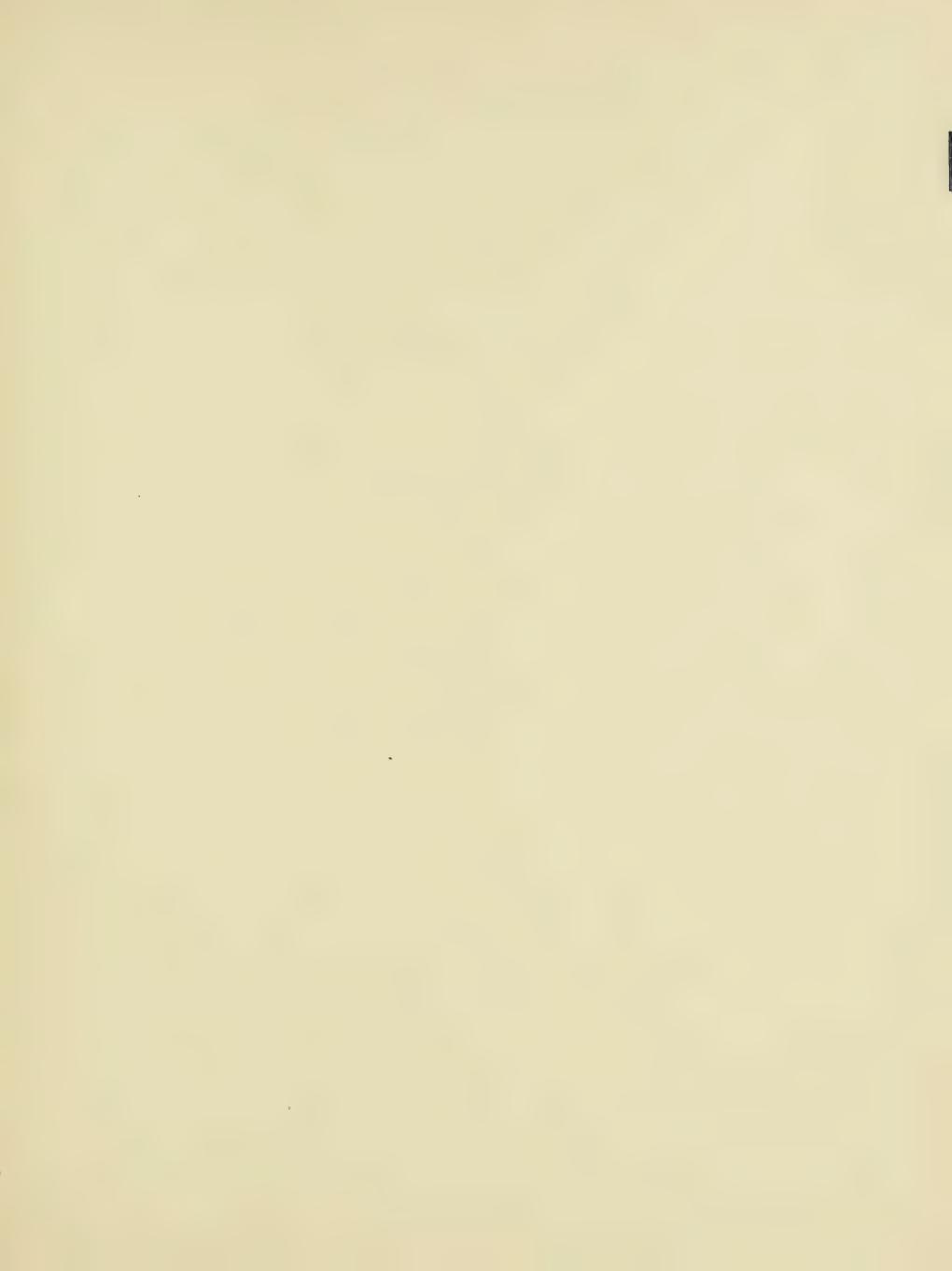
In preparing the draft Model Act for the forthcoming Conference, the desirability of promoting the fullest possible discussion on a number of points was kept in mind. Particular attention is called to the sentences in parentheses in several sections, which deal with the production.

in the offices of division registrars. of copies of registrations. With the rapid progress of recent years in the care and protection of records, and with the increasing use of microfilm and its varied and flexible possibilities, it is questionable whether it is any longer necessary or desirable to have division registrars make such copies by hand. This present system takes time and creates a serious problem of storage in many cases. After a good deal of discussion, the committee did not consider it within its competence to decide this question, and consequently the necessary words have been inserted in the relevant sections, in order that it may be fully discussed by the Conference.

The title "Director" of Vital Statistics has been used in place of "Registrar General" in the draft Model Act. The title "Registrar General" can have a variety of meanings, and is applied to many officers of the Crown who are appointed for one purpose or another. On the other hand, "Director" of Vital Statistics is specific.

For the information of delegates to the Conference, copies of "The Statistics Act". the Orders in Council confirming the Dominion-Provincial agreements on Vital Statistics of 1918 and 1945, and of the Model Act of 1918 are attached to this draft as appendices.

The committee responsible for the preparation of this draft Model Vital Statistics Act was under the chairmanship of Mr. J. T. Marshall, and was composed in addition of the following members: Dr. Mary A. Ross, Miss E. Clarke, Dr. R. Kohn, Mr. H. G. Page and Mr. H. L. Robinson.



STATEMENT

OF

PRINCIPLES

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STATEMENT OF PRINCIPLES

PURPOSE

The purpose of a Vital Statistics Act is to provide for a record of all births, stillbirths, marriages, deaths, adoptions and divorces. The importance of obtaining a complete record of all vital events outweighs the importance of obtaining full particulars of each event. Accordingly, requirements respecting information to be furnished with each registration, or respecting the manner in which the registration is to be made, should be such as will not discourage the making of registrations.

TIME FOR REGISTRATION

1. Registration should be effected:

- (a) births, within thirty days;
- (b) stillbirths, before the issuance of a burial permit;
- (c) marriages, within forty-eight hours;
- (d) deaths, before the issuance of a burial permit;
- (e) adoptions, ~~within forty-eight hours;~~ ^{unless full year, except just before the year ends}
- (f) divorces, at the end of each calendar month.

at

2. Where the registration of a birth, stillbirth, marriage, death, adoption or divorce is not made within the prescribed time, the person responsible therefor should be considered guilty of an offence, but the right to register should not be impaired.

3. Where the registration of a birth, stillbirth, marriage or death, is not made within one year thereof, registration should be made only upon the direction of the Director of Vital Statistics, who should require

such evidence as he deems adequate to confirm the correctness of the registration. Such registrations are herein referred to as "delayed registrations".

4. Registration should be deemed effective when accepted and signed by the division registrar in accordance with the provisions of the Act.

5. Delayed registrations should be made directly to the Director of Vital Statistics, and should be deemed effective when accepted and signed by him in accordance with the provisions of the Act.

RESPONSIBILITY FOR NOTIFICATION AND REGISTRATION

1. In the case of a birth, the medical practitioner, nurse or other person attending the birth should give notice thereof to the division registrar within twenty-four hours.

2. The responsibility for making the registration of a birth should be upon:

- (a) in the case of a child born in wedlock,
 - (i) the father or mother, or
 - (ii) where the father and mother are unable to do so, the nurse or other person attending the birth, or the occupier of the premises where the child was born;
- (b) in the case of a child born out of wedlock,
 - (i) the mother, or
 - (ii) where the mother is unable to do so, the nurse or other person attending the birth, or the occupier of the premises where the child was born.

3. In the case of a stillbirth, the responsibility for notification and registration should be as set forth in principles 1 and 2.

PRESUMPTIONS AND DETERMINATION OF FACTS
INCIDENTAL TO THE REGISTRATION OF BIRTHS

1. Common law presumptions as to parentage and legitimacy should not be altered or superseded by any provisions in a Vital Statistics Act, nor should special provisions authorizing any official or judge to determine questions of parentage or legitimacy be included in the Act. Such matters may be adequately dealt with, where necessity arises, in court proceedings under existing law.

2. The form prescribed for the registration of births should contain the question: "Are the parents of the child married to each other?".

3. In the case of a child born to:

- (a) an unmarried woman, or
- (b) a married woman, when to the best of her knowledge and belief she considers the birth to be of illegitimate parentage,

the registration of the birth should indicate only the particulars of the mother, unless the mother and the putative father both sign a written request that the particulars of the putative father be inserted.

REGISTRATION DIVISIONS

1. The province should be divided into registration divisions for the purpose of administering the Vital Statistics Act. The Lieutenant-Governor in Council should be empowered to establish the boundaries of these registration divisions, and to change them as required.
2. There should be a division registrar for each registration division, and such sub-division registrars as may be necessary.
3. The division registrar should receive the registrations of all births, stillbirths, marriages and deaths which occur in his division, and should issue burial permits.
4. The division registrar should be remunerated for each registration transmitted to the Director of Vital Statistics at rates to be determined by the Lieutenant-Governor in Council. The remuneration should be paid out of the Consolidated Revenue Fund of the province on the certificate of the Director of Vital Statistics. (This system of remuneration may be varied from province to province. For example, where registration divisions correspond to the boundaries of organized municipalities, the division registrar may be remunerated by the municipality.)

ISSUANCE OF CERTIFICATES

Who May Issue Certificates

All certificates issued in respect of the registrations of births, stillbirths, marriages and deaths should be issued by the Director of Vital Statistics. (In some provinces, division registrars at present issue "limited" or "tentative" or "temporary" certificates from the registrations of births or deaths. This system has not always worked satisfactorily. It is felt that, with the general use of the short form certificate ("birth identity card", or laminated certificate of birth), and because it is hoped that returns by division registrars will be made weekly rather than monthly, it should be possible to eliminate the system).

Types of Certificates and to Whom They May Be Issued

A. Births and Stillbirths

1. A short form of certificate (birth identity card) in respect of the registration of a birth or a stillbirth should ordinarily be issued, and it should contain only:

- (a) name of child;
- (b) date of birth;
- (c) place of birth;
- (d) sex;
- (e) date of registration;
- (f) date of issue, and
- (g) birth identity number (registration number).

2. A long form of certificate (and/or certified copy) from the registration of a birth or a stillbirth should be issued only upon application in the prescribed form to any person who indicates the reason for requiring the certificate. The Director of Vital Statistics should be empowered to refuse to issue a long form of certificate when not satisfied with the reasons given by the applicant.

3. No certificate or certified copy in respect of the registration of a birth or a stillbirth which discloses the natural parentage of an adopted child or of a child born out of wedlock, should be issued, except to certain persons as specified in the Act.

4. A photographic print of the registration of a birth or a stillbirth should be furnished only to:

- (a) any person, upon the authority in writing of the Attorney-General or upon the order of a

Judge of the Supreme Court, or
(b) any court, upon the order of the court.

B. Marriages

5. A short form of certificate in respect of the registration of a marriage should ordinarily be issued. and it should contain only:

(a) names of contracting parties;
(b) date of marriage;
(c) place of marriage;
(d) date of registration;
(e) date of issue, and
(f) registration number.

6. A long form of certificate (and/or certified copy) from the registration of a marriage should be issued only upon request to:

(a) either of the contracting parties;
(b) a parent of either of the contracting parties, or a child of the marriage, or
(c) any other person, upon the direction of the Director of Vital Statistics.

7. A photographic print of the registration of a

marriage should be furnished only upon request to:

- (a) either of the contracting parties;
- (b) any court upon the order of the court,
or
- (c) any other person, upon the direction of
the Director of Vital Statistics.

C. Deaths

8. A short form of certificate in respect of the registration of a death should ordinarily be issued, and it should contain only:

- (a) name of deceased;
- (b) date of death;
- (c) place of death;
- (d) sex;
- (e) date of registration;
- (f) date of issue, and
- (g) registration number.

9. A long form of certificate (and/or certified copy) from the registration of a death should be issued only upon application in the prescribed form to any person who indicates the reason for requiring the certificate. The Director of Vital Statistics should be empow-

ered to refuse to issue a long form of certificate when not satisfied with the reasons given by the applicant.

10. A photographic print of the registration of a death should be furnished only upon request to:

- (a) any person, upon the authority in writing of the Attorney-General or upon the order of a Judge of the Supreme Court, or
- (b) any court, upon the order of the court.

Basis for Issuance of Certificates

1. A short form certificate should be issued in accordance with the original registration as amended by the marginal notations.

2. A long form certificate should be issued from the original registration as originally written and should include the marginal notations.

Photographic Records

1. Photographic prints of registrations, including marginal notations and related documents, should be receivable in evidence for all purposes for which the original

document is receivable, whether or not the original document is still in existence, provided proof (under oath) of photographing the original document and the making of the print is furnished. (Consideration should be given to the adequacy of proving the authenticity of such copies merely by the certificate and seal of the Director of Vital Statistics).

2. Certificates issued from microphotographic records of registrations should have the same effect as certificates issued in respect of original registrations.

MARGINAL NOTATIONS

Change of Name

1. An alteration or addition of the Christian or given name of a child may be effected on submission of a statutory declaration by the parent or guardian. Where the alteration or addition is effected by baptism, a baptismal certificate should be filed in lieu of the statutory declaration. No alteration or addition should be effected unless the name was changed or given to the child within ten years of the day of birth, ~~and~~ every alteration or addition should be noted on the registration of the birth.

2. Changes of surname should be governed entirely by "The Change of Name Act", except where deed polls were recognized as the legal means of changing a surname prior to the enactment of "The Change of Name Act". Every change of surname should be noted on the registration of every birth affected by such change.

Adoptions and Divorces

1. A notation of any adoption by a court of compe-

tent jurisdiction should be made on the registration of the birth.

2. A notation of any divorce by court decree or Act of Parliament should be made on the registration of the marriage.

3. Provision should be made for the reciprocal exchange of information to cover the cases where an adoption order affecting a birth or a divorce decree affecting a marriage was issued in a court of competent jurisdiction in a province or country other than the province or country in which the birth or marriage occurred, provided, however, that acceptance of divorce decrees should be limited to those granted in Canada.

Legitimations

Where a child is legitimated by the subsequent intermarriage of the parents, a new registration should be accepted and substituted for the original, and the original registration should be removed from the records, placed in a separate file and sealed.

Other Alterations

Where proof is submitted that an error has been made in the information contained in a registration, a marginal notation correcting the error should be made upon the registration.

OTHER REGISTRATIONS UNDER THE ACT

1. A register of adoptions and of divorces should be maintained in the office of the Director of Vital Statistics upon information furnished by the appropriate government or court official.
2. No certificate or certified copy should be issued in respect of an adoption order or a divorce decree under the provisions of the Vital Statistics Act. The issuance of such certificates or certified copies is solely within the competence of the court granting the adoption order or divorce decree.

FEES

1. Registration being compulsory, the person supplying the information required with respect to the event being registered should not be charged any fee for carrying out the duties imposed upon him by the Vital Statistics Act.
2. Fees should be charged for making searches and issuing certificates.

NO OTHER SYSTEM OF REGISTRATION

No other system of registration of births, still-births, marriages or deaths should be maintained, and no certificates from the registrations of births, still-births, marriages or deaths should be issued except those provided for under the Vital Statistics Act.

PROVINCIAL LIMITATION

Every birth, stillbirth, marriage or death should be registered in the province in which the event occurred, and no birth, stillbirth, marriage or death which occurred outside the province should be registered in the province.





DRAFT MODEL

VITAL STATISTICS ACT

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DEPARTMENT OF
FOR CONTINUATION

Short title.
Section 1.

AN ACT RESPECTING THE REGISTRATION OF BIRTHS,
STILLBIRTHS, MARRIAGES, DEATHS, ADOPTIONS
AND DIVORCES.

HIS MAJESTY, by and with the consent of the
Legislative Assembly of the Province of
enacts as follows:

SHORT TITLE

Short Title. 1. This Act may be cited as "The Vital Statistics
Act".





INTERPRETATION

2. In this Act, unless the context otherwise requires, and in any Orders in Council or regulations issued pursuant to the provisions of this Act:

"born in wedlock";

(a) "born in wedlock" shall refer to a child or stillbirth which is delivered of a married woman, as the result of cohabitation with her lawful husband, and shall include;

(i) the child or stillbirth delivered of a widowed or divorced woman, and

(ii) the issue of parents married to each other at the time of the birth;

"camp" and "mine";

(b) "camp" and "mine" shall include any sawmill, lumber, mining, construction or railway camp, or other maintenance works, quarries, mines, smelting or cement works, situated outside the limits of an incorporated city, town,

Interpretation.

Section 2.

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village or township;

"cemetary";

(c) "cemetary" shall mean and include any land which is set apart or used as a place for the interment of the dead or in which bodies are buried, and shall include a vault as provided by "The Cemetary Act";

"cemetary owner";

(d) "cemetary owner" shall mean the person or persons, or the President of a corporation owning or managing a cemetary or a crematorium, and shall include the manager, superintendent, or other person in charge of a cemetary, burial ground or crematorium, and the clergyman or other person in charge of a church to which a cemetary or burial ground is attached;

"certificate";

(e) "certificate" shall mean a certificate of birth, stillbirth, marriage or death, issued pursuant to the provisions of this Act, in respect of any registration filed in the office of the Director of Vital Statistics;

"child"
or
"live birth";

(f) "child" or "live birth" shall mean, for purposes of registration under this Act,

Interpretation.

Section 2.

- 4 -

any foetus in which pulmonary respiration occurs after complete expulsion from the mother, even if the cord is uncut and the placenta is still attached;

"cremation";

(g) "cremation" shall mean disposal of a dead body by incineration in a crematorium as provided by "The Cemetery Act";

"Director";

(h) "Director" shall mean the Director of Vital Statistics appointed under this Act to direct, administer and supervise the Division of Vital Statistics and the system of registration established under this Act;

"division registrar";

(i) "division registrar" shall mean the person appointed under this Act to carry out and enforce the provisions of this Act in a particular registration division, and shall include agents of the Indian Affairs Branch of the Department of Mines and Resources of the Government of Canada;

"divorce";

(j) "divorce" shall mean dissolution of marriage, by court decree or Act of

Interpretation.

Section 2.

- 5 -

Parliament, and shall include nullities
of marriage;

"funeral
director";

(k) "funeral director" shall include every
person who takes charge of the body of
a deceased person for the purpose of
burial, cremation or other disposition;

"house";

(l) "house" shall include a part of a house,
and a tenement building, room or dwell-
ing place, or any other place in which
persons may be living or staying;

"Indian";

(m) "Indian" shall mean an Indian within
the meaning of "The Indian Act" of
Canada;

"inspector
of Vital
Statistics";

(n) "inspector of Vital Statistics" shall
mean the inspectors appointed under
this Act;

"legally
qualified
medical
practi-
tioner";

(o) "legally qualified medical practition-
er" shall mean a person registered
under "The Medical Act";

"live birth";

(p) "live birth", see "child";

Interpretation.

Section 2.

- 6 -

"marginal
notation";

(q) "marginal notation" shall mean any alteration or addition made to a registration after it has been filed with a division registrar or in the office of the Director of Vital Statistics;

"municipality";

(r) "municipality" shall mean an incorporated city, town, village and township;

"nurse";

(s) "nurse" shall include any person, other than a legally qualified medical practitioner, who attends at the birth of a child;

"occupier";

(t) "occupier" shall include the governor, keeper, warden, superintendent, manager or resident physician of any gaol, prison, penitentiary or other place of detention, any children's home or orphanage, any public or private medical, surgical or maternity hospital, or hospital for the insane, or any public or private charitable institution, and the manager or keeper of an hotel, house for public accommodation, tourist camp, or other stopping place for persons;

Interpretation.

Section 2.

"photographic print";

(u) "photographic print" shall mean any copy produced from a registration statement, record or document in respect of a birth, stillbirth, marriage or death, either by direct or indirect photographic or photostatic process, from photographic film or plate, or microphotographic film, and whether enlarged, reduced or in the same size as the original;

"prescribed";

(v) "prescribed" shall mean prescribed by, for and under the provisions of this Act;

"registration";

(w) "registration" shall mean where the context so requires the form containing the particulars for establishing the facts of a birth, stillbirth, marriage, death, adoption or divorce;

"registration division";

(x) "registration division" shall mean an area of the province established under this Act for the purpose of registration, collection and administration.

Interpretation.
Section 2.

- 8 -

"stillbirth";

(y) "stillbirth" shall mean, for the purpose of registration under this Act, the birth of a (viable) foetus after at least 28 weeks pregnancy in which pulmonary respiration does not occur; such foetus may die either (i) before, (ii) during, or (iii) after birth, but before it has breathed;

"sub-division registrar";

(z) "sub-division registrar" shall mean any person appointed under this Act to assist or act in the absence of a division registrar;

"teacher";

(aa) "teacher" shall include the teacher of any class or grade in a school where one or more classes or grades are under the direct supervision of an individual teacher.





REGISTRATION IN RESPECT OF INDIANS

Application
of Act to
Indians.

3. (1) Subject to the provisions of this section, this Act shall apply in respect of the birth, stillbirth, marriage, death, adoption or divorce of an Indian.

Special
forms.

(2) The Director shall prescribe special registration forms for the purpose of compiling the statistics of births, stillbirths, marriages, deaths, adoption and divorces of Indians, required by the Indian Affairs Branch of the Department of Mines and Resources of the Government of Canada.

Separate
filing.

(3) The Director shall keep the registrations in respect of Indians separate from all other registrations authorized or required by this Act.

Indian agent
as division
registrar.

(4) Every Indian agent appointed in the province shall be ex officio a division registrar for the Indians living within the boundaries of his Indian Agency.

Duties of
Indian
agent.

(5) Every Indian agent in the province shall carry out all the duties imposed upon a division registrar by this Act.



REGISTRATION OF BIRTHS

Notice by
medical
practitioner.

4. (1) *Every* legally qualified medical practitioner who attends at the birth of a child in the province shall within twenty-four hours after the birth, give notice of the birth in the prescribed form, by delivering or mailing it to the division registrar of the division in which the birth occurred.

Notice by
nurse.

(2) If there is no legally qualified medical practitioner in attendance at the birth, the *nurse* in attendance shall give the notice as prescribed in sub-section (1) of this section.

Registration
of births.

5. (1) The birth of every child born in the province shall be registered in the office of the division registrar of the division in which the birth occurred.

Statement
respecting
birth.

(2) For the purpose of the registration of the birth, a statement in the prescribed form respecting the birth shall be prepared and certified:

- (a) in the case of a child born in wedlock,
 - (i) by the father or the mother of the child, or
 - (ii) if the father is incapable or unknown and the mother is incapable, by the person standing in the place of the parents of the child, or
 - (iii) if there is no father or mother or other person whose duty it is to register the birth, by the nurse or other person attending the birth, or by the occupier of the house in which the child was

born if he has knowledge of
the birth, or

(b) in the case of a child born out of wedlock,

(i) by the mother of the child, or
(ii) if the mother is incapable, by
the person standing in the place
of the mother of the child, or
(iii) if there is no mother or other
person whose duty it is to register
the birth, by the nurse
or other person attending the
birth, or by the occupier of
the house in which the child
was born if he has knowledge
of the birth.

Plural
births.

(3) Where more than one child and/or stillbirth is delivered of a mother during a single confinement, a separate statement in the prescribed form shall be prepared and certified in respect of each child and/or stillbirth, and in each case the number of the child and/or stillbirth in order of birth shall be stated therein.

Time for
registration.

(4) The statement in the prescribed form shall, within thirty days after the birth, be delivered or mailed to the division registrar of the division in which the birth occurred.

Power of
division
registrar
to require
further
evidence.

(5) The division registrar if not satisfied as to the correctness and sufficiency of the statement received by him respecting the birth, may require the production of further evidence of the facts before registering the birth; and he may also require the attendance at his office of the person who prepared and certified the statement, or of other witnesses, and may examine them under oath respecting any matter pertaining to the registration of the birth.

Continuing
liability
of parents
and others
to perform
duty.

(6) If the statement required under subsection (2) of this section respecting the birth is not prepared and delivered or mailed in the manner and within the time prescribed, every person, upon whom the duty of preparing and delivering or mailing the statement is imposed, shall remain liable to perform that duty notwithstanding the expiration of the time prescribed, and shall, in respect of each successive period of thirty days

Births.
Section 5.

- 14 -

thereafter during which he neglects or fails to prepare and deliver or mail the statement, be guilty of a distinct omission in violation of the provisions of this section.

Registration
of birth by
division
registrar.

(7) Upon the receipt, within one year from the day of the birth, of a statement in the prescribed form respecting the birth, the division registrar, upon being satisfied as to the correctness and sufficiency of the facts stated therein, shall register the birth in his office.

Registration
of birth by
Director.

6. (1) Where a birth has not been registered within one year from the day of the birth, or where the division registrar has refused to register a birth, if application for registration is made to the Director by statutory declaration, accompanied by a statement in the prescribed form respecting the birth and such other evidence as may be prescribed, the Director, upon being satisfied as to the bona fides of the application and the correctness and sufficiency of the facts stated, shall cause the registration of the birth to be made (in the office of the proper division registrar?).

Appeal from
refusal of
Director.

(2) Where an application for the registration of a birth under sub-section (1) of this section has been refused by order of the Director, if, within one year of the refusal, application for registration is made in a summary manner to any judge of the Supreme Court or to a judge of any county court, the judge, upon being satisfied as to the bona fides of the application and the correctness and sufficiency of the evidence adduced on the hearing of the application, may make an order directing the registration of the birth,

and the Director, upon the service on him of the order, shall cause the registration of the birth to be made (in the office of the proper division registrar?).

Notice of
hearing.

(3) No order shall be made by a judge under sub-section (2) of this section unless at least thirty days' notice of the hearing of the application has been served on the Director, accompanied by a statement of the particulars of the application and by copies of all papers intended to be produced to the judge on the hearing of the application.

Production
of order of
refusal.

(4) In every case of an appeal, the original order of refusal issued by the Director, setting forth the reasons for such refusal, shall be produced to the judge for his information on the hearing of the application.

Births.
Section 7.

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Child born
in wedlock.

7. (1) No child born in wedlock shall be registered as illegitimate.

Child born
out of
wedlock.

(2) In registering the birth of a child born out of wedlock to:

(a) an unmarried woman, or

(b) a married woman when she considers, to the best of her knowledge and belief, the birth to be of illegitimate parentage,

it shall not be lawful for the name or any other particulars of any person to be entered in the prescribed form as being those of the putative father, unless at the joint request of the mother and of the person acknowledging himself to be the father, as evidenced by their signatures to the statement in the prescribed form.

Substitution
of regis-
tra-
tion when
child legiti-
mated.

(3) Where the birth of a child born out of wedlock has been registered and where the child has become legitimated by the subsequent intermarriage of the parents, then, upon the filing by the parents of satisfactory evidence as to the legitimation, the Director shall cause a new regis-

tration of the birth of the child, showing it as having been born in wedlock, to be made and filed in substitution for the original registration.

The original registration shall thereupon be withdrawn from the registration files and shall thereafter be kept in a separate file and sealed.

Registration
of legiti-
mated child.

(4) Where the birth of a child born out of wedlock has not been registered and where the child has become legitimated by the subsequent intermarriage of the parents, the Director, upon the filing by the parents of satisfactory evidence as to the birth and subsequent legitimation of the child, shall cause a registration of the birth to be made showing it as having been born in wedlock.

Substitution
when a birth
previously
registered as
legitimate.

(5) Where a child born to a married woman, who at the time of the conception of the child was living separate and apart from her husband, whether by reason of his absence from the province or otherwise, has been registered as having been born in wedlock:

(a) the mother and the person acknowledging himself to be the father of the child (if there be any such person) jointly, or

(b) the mother, alone,

may make application for a new registration of the birth of the child to be made showing it to have been born out of wedlock, and the Director, upon being satisfied as to the bona fides of the application, shall cause a new registration of the birth to be made and filed in substitution for the original registration. The original registration shall thereupon be withdrawn from the registration files and shall thereafter be kept in a separate file and sealed.

Like pro-
cedure in
office of
division
registrar.

(6) (Upon action pursuant to the provisions of this section, the Director shall in every case cause a like procedure to be followed in the office of the proper division registrar?).

Statement respecting birth of foundling.

8. (1) If a living child is found deserted, it shall be the duty of:

- (a) the person who finds the child, and
- (b) any person in whose charge the child may be placed,

to give to the division registrar of the division in which the child is found, within seven days after the finding or taking charge of the child, such information as the informant may possess as to the particulars required to be registered concerning the birth of the child.

Duties of division registrar.

(2) The division registrar, immediately upon receipt of information respecting the birth of a foundling and upon being satisfied that every effort has been made but without success to identify the child, shall:

- (a) cause the person having found or having charge of the child to complete:
 - (i) a satisfactory declaration concerning the facts of the finding of the child, and
 - (ii) the form prescribed for the registration of a birth in so far as the particulars are known;

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(b) cause the local medical health officer or a legally qualified medical practitioner to: *what*

(i) examine the child with a view to determining as nearly as possible the date of the birth, and

(ii) complete a statutory declaration setting forth the facts as determined by such examination.

(c) make a detailed report of the case, and transmit immediately to the Director all the aforesaid documentary evidence regarding the birth of the child.

Fee.

(3) The legally qualified medical practitioner shall be entitled to a fee of \$5 for each examination under clause (b) of sub-section (2), to be paid by the Director out of the Consolidated Revenue Fund.

Registration
of birth of
foundling.

(4) The Director, immediately upon receipt of the documentary evidence referred to in sub-section (2) of this section, shall review the case and, upon being satisfied as to the correctness and sufficiency of the facts stated, shall make an order directing the registration of the birth, to be made (in the office of the proper division registrar?) and such order shall, for the purpose of registration, establish for the child:

- (a) a date of birth;
- (b) a place of birth; and
- (c) a surname and Christian or given name.

Substitution
of registra-
tion if
identity
established.

(5) If, subsequent to the registration of the birth of a foundling, the full identity of the child is established to the satisfaction of the Director, he may by order:

- (a) set aside the original order for the registration of the birth and the establishment of the facts of birth, and

(b) cause a new registration in accordance with the actual facts of the birth to be made and filed in substitution for the original registration.

The original registration shall ~~be~~ whereupon be withdrawn from the registration files and, together with the second order, be kept in the files containing the original documentary evidence and the original order (and a like procedure shall be followed in the office of the proper division registrar?).

Original date of registration to be retained.

(6) Where a new registration of the birth of a foundling has been made pursuant to sub-section (5) of this section, the date of registration shall be as shown on the original registration.

Certificate to be cancelled.

(7) Every certificate issued in respect of the registration of the birth of a foundling, made pursuant to sub-section (4) of this section, and which has been withdrawn from the registration files pursuant to sub-section (5) of this section, shall be delivered to the Director for cancellation.

Alteration or
addition of
Christian or
given names
by division
registrar.

9. (1) Where the birth of a child has been registered, and where:

- (a) the Christian or given name under which the child was registered has been changed, or
- (b) the child was registered without a Christian or given name,

the parent or guardian of the child or the person procuring the name to be changed or given may deliver to the division registrar:

- (a) a baptismal certificate upon which the Christian or given name was changed or given, signed by the minister, clergyman or other person who performed the rite of baptism, or
- (b) if the child was not baptized, a statutory declaration signed by the father, mother or guardian of the child or other person procuring the name of the child to be changed or given,



and the division registrar shall, upon receipt of such baptismal certificate or statutory declaration, make the necessary alteration or addition in the margin of the original registration of the birth.

Alteration or
addition of
Christian or
given names
by Director.

(2) Where the original registration of the birth has been transmitted pursuant to the provisions of section twenty-nine of this Act, the Director shall make such alteration or addition under the conditions and in the manner prescribed in sub-section (1) of this section.

Non-production
of baptismal
certificate.

(3) Where the child was baptized and where the baptismal certificate, upon which the name of the child was changed or given cannot be procured from the minister, clergyman or other person who performed the rite of baptism, the Director, upon being satisfied as to the bona fides of the application, shall make the necessary alteration or addition in the margin of the original registration of the birth.

Time limit
for altera-
tion or
addition.

(4) No alteration or addition of a Christian or given name shall be made in any registration of a birth pursuant to the provisions of this section, unless the name of the



child was changed or the name was given to the child within ten years next after the day of the birth.

Statutory
limitation
of altera-
tion or
addition.

(5) No alteration or addition of a Christian or given name shall be made in any registration of a birth, except in the manner prescribed in this section, or pursuant to the provisions of this Act in respect of legitimated or adopted children, or pursuant to the provisions of "The Change of Name Act" as provided for in section ten of this Act.

Marginal
notation
to be dated
and ini-
tialed.

(6) Every marginal notation made pursuant to the provisions of this section shall be dated and initialled by the division registrar or the reviewing officer designated by the Director.

Transmittal
of notice of
change of
name and
marginal
notation on
birth regis-
trations.

10. Where the surname and/or Christian or given name of any person has been changed pursuant to the provisions of "The Change of Name Act", notice thereof shall be transmitted forthwith to the Director, who, upon the production of evidence satisfactory to him as to the identity of the person, and of such other persons as may be affected by the change, shall:

- (a) in the case of such persons born in the province, cause the necessary marginal notation to be made on the registration of birth (and shall cause a like marginal notation to be made upon the copy of the registrations retained in the office of the division registrar?), or
- (b) in the case of such persons born outside the province, forward a certified copy of the notice of the change to the Director of Vital Statistics ~~of~~ the province in which the birth of such persons occurred.

Cancellation
of regis-
tra-
tion and birth
certificate.

11. (1) Where:

- (a) there is reason to believe that the registration of a birth was fraudulently or improperly obtained, or
- (b) a birth certificate is found in the possession of any person under circumstances which indicate that it is being had or used for fraudulent or improper purposes,

the Director, after such notice to and hearing of the interested parties as he considers proper, may make an order cancelling the registration of the birth and requiring the delivery up to him of the birth certificate for cancellation or otherwise, as the circumstances of the case may require. The person who has in his possession or under his control a birth certificate, in respect of which an order has been made under this sub-section, shall forthwith deliver the birth certificate to the Director.

Appeal from
order of
Director.

(2) Where the Director has made an order pursuant to sub-section (1) of this section in respect of any registration of a birth or of any

birth certificate, any person interested may, within one year thereafter, appeal therefrom to any judge of the Supreme Court or to a judge of any county court. The procedure to be followed in respect of the appeal shall be directed by the judge on the application of the person appealing. The judge shall proceed to hear the appeal, and for that purpose be the absolute judge of the facts as well as of the law, and may make an order confirming or setting aside the order appealed from, and the order of the judge shall be final and shall be binding on the Director and shall be given effect to by him.

Notice of
hearing.

(3) No order shall be made by a judge under sub-section (2) of this section unless at least thirty days' notice of the hearing of the application has been served on the Director, accompanied by a statement of the particulars of the application, and by copies of all papers intended to be produced to the judge on the hearing of the application.

Production
of order of
refusal.

(4) In every case of an appeal the original order of refusal issued by the Director,

setting forth the reasons for such refusal, shall be produced to the judge for his information on the hearing of the application.

Hospital
return of
births.

12. The executive officer or person in charge of the management of every hospital within the meaning of "The Hospital Act", shall, at the expiration of each month, mail to the Director a return in the prescribed form in respect of all the births which occurred in that hospital during that month.

School
return of
new pupils.

13. (1) Within thirty days from the beginning of each school term, every teacher in charge of a school in the province shall prepare and mail to the Director a return in the prescribed form respecting all children in the school who are attending school for the first time, stating the name and the date and place of birth of each child and the name and address of the parent or guardian.

(2) Within thirty days from the end of each school term every teacher in charge of a school shall prepare and mail to the Director a similar return in the prescribed form respecting all children whose attendance at the school began during the term and who were not covered by the return made pursuant to sub-section (1) of this section.





REGISTRATION OF STILLBIRTHS

Registration of stillbirths. 14. (1) Every stillbirth in the province shall be registered in the office of the division registrar of the division in which the stillbirth occurred.

Form prescribed for registration of stillbirths. (2) The form prescribed for the registration of a stillbirth shall consist of:

- (a) a statement of personal particulars to be signed by the parent or guardian, and
- (b) a medical certificate of the cause of stillbirth signed by the legally qualified medical practitioner in attendance.

Certification by coroner. (3) Where a stillbirth is delivered without the attendance of a legally qualified medical practitioner, the provisions of section nineteen and twenty-one of this Act shall apply, mutatis mutandis, and the coroner shall complete the medical certificate of the cause of stillbirth.

Sections
four, five
and six
apply.

(4) The provisions of sections four, five and six of this Act shall apply, mutatis mutandis, in the case of every stillbirth.



REGISTRATION OF ADOPTIONS

Transmittal
of order of
adoption and
statement.

15. (1) Where a child has been adopted pursuant to the provisions of "The Adoption Act", the registrar of the Supreme Court shall, within forty-eight hours of the order of adoption being entered in the Court register, transmit to the Director:

- (a) a copy of the said order, and
- (b) a statement in the prescribed form respecting the adoption.

Registration
of adoption.

(2) Where a child has been adopted pursuant to the provisions of "The Adoption Act", the Director, upon receipt of the copy of the order of adoption and the statement in the prescribed form transmitted pursuant to sub-section (1) of this section, shall register the adoption in his office.

Marginal
notation of
adoption on
birth regis-
tration.

(3) Where the birth of a child, adopted pursuant to the provisions of "The Adoption Act", was registered previous to the adoption, the Director, upon receipt of the documents referred to

in sub-section (1) of this section and upon the production of evidence satisfactory to him as to the identity of the child, shall cause a marginal notation of the adoption and of any change of name as directed in the order of adoption, to be made upon the original registration of the birth (and shall cause a like marginal notation to be made upon the copy of the registration retained in the office of the division registrar?).

Registration
of birth of
adopted child
subsequent to
adoption.

(4) Where the birth of a child, adopted pursuant to the provisions of "The Adoption Act", was not registered previous to the adoption, then, upon receipt of the documents referred to in sub-section (1) of this section and upon being furnished by the parent by adoption with such information as he may possess respecting the birth of the child, the Director upon being satisfied as to the correctness and sufficiency of the facts, shall cause the registration of the birth to be made (in the office of the proper division registrar?) and shall cause a marginal notation to be made on the registration in accordance with sub-section (3) of this section.

Order of
adoption
and
statement.

(5) Where a child has been adopted pursuant to the provisions of "The Adoption Act", and where the copy of the order of adoption and the statement in the prescribed form have not been transmitted pursuant to sub-section (1) of this section, the Director, upon the production of a copy of the order of adoption, shall cause the adoption to be registered in accordance with sub-section (2) of this section, and shall carry out the duties imposed on him under sub-section (3) or, in the alternative, sub-section (4) of this section.

Adoption of
child born
outside the
province.

(6) Where a child whose birth occurred outside the province has been adopted pursuant to the provisions of "The Adoption Act", the Director of Vital Statistics, upon receipt of the documents referred to in sub-section (1) of this section, shall register the adoption in accordance with sub-section (2) of this section, and shall forward a certified copy of the order of adoption to the Director of Vital Statistics of the province or country in which the birth of the child occurred.

Adoption
outside the
province of
child born
in the
province.

(7) Where a child whose birth occurred in the province has been adopted pursuant to an order, judgment, or decree of adoption made by a court of competent jurisdiction in another province or country, the Director upon receipt of a certified copy of such an order, judgment, or decree, shall register the adoption in accordance with sub-section (2) of this section, and shall carry out the duties imposed on him under sub-section (3) or, in the alternative, sub-section (4) of this section.

Adoption
notation
to be
dated and
initialled.

(8) Every marginal notation made pursuant to the provisions of this section shall be dated and initialled by the reviewing officer designated by the Director.



REGISTRATION OF MARRIAGES

Registration
of marriages.

16. (1) In addition to any registration of the marriage required under "The Marriage Act", every marriage that is solemnized in the province shall be registered pursuant to the provisions of this Act in the office of the division registrar of the division in which the marriage was solemnized.

Statement
respecting
marriage.

(2) Every minister, clergyman, or other person authorized by law to solemnize marriage shall, at the time of each marriage solemnized by him, prepare and certify a statement in the prescribed form respecting the marriage, which shall be signed by:

(a) each of the parties to the marriage;

(b) at least two credible witnesses,
and

(c) the minister, clergyman, or other person by whom the marriage was solemnized.

Time for registration.

(3) The minister, clergyman, or other person by whom the marriage is solemnized shall, within forty-eight hours after the day of the marriage, deliver or mail the completed statement to the division registrar of the division in which the marriage was solemnized.

Acknowledgment of receipt.

(4) Immediately upon receipt of the completed statement respecting the marriage, the division registrar shall mail to the minister, clergyman, or other person by whom the marriage was solemnized, an acknowledgment of receipt in the prescribed form.

Registration of marriage by division registrar.

(5) Upon the receipt, within one year from the day of the marriage, of a statement in the prescribed form respecting the marriage, the division registrar, upon being satisfied as to the correctness and sufficiency of the facts stated therein shall register the marriage in his office.

Registration
of marriage
by Director.

17. (1) Where a marriage has not been registered within one year from the day of the marriage, or where the division registrar has refused to register a marriage, if application for registration is made to the Director by statutory declaration, accompanied by a statement in the prescribed form respecting the marriage and such other evidence as may be prescribed, the Director, upon being satisfied as to the bona fides of the application and the correctness and sufficiency of the facts stated, shall cause the registration of the marriage to be made (in the office of the proper division registrar?).

Appeal from
refusal of
Director.

(2) Where an application for the registration of a marriage under sub-section (1) of this section has been refused by order of the Director, if, within one year of the refusal application for registration is made in a summary manner to any Judge of the Supreme Court or to a judge of any county court, the judge, upon being satisfied as to the bona fides of the application and the correctness and sufficiency of the evidence adduced on the hear-

ing of the application, may make an order directing the registration of that marriage, and the Director, upon the service on him of the order, shall cause the registration of the marriage to be made (in the office of the proper division registrar?).

Notice of
hearing.

(3) No order shall be made by a judge under sub-section (2) of this section unless at least thirty day's notice of the hearing of the application has been served on the Director, accompanied by a statement of the particulars of the application and by copies of all papers intended to be produced to the judge on the hearing of the application.

Production
of order of
refusal.

(4) In every case of an appeal, the original order of refusal issued by the Director, setting forth the reasons for such refusal, shall be produced to the judge for his information on the hearing of the application.



REGISTRATION OF DIVORCES

Transmittal
of final
decree of
divorce and
statement.

18. (1) The registrar of the Supreme Court shall, at the end of each month, transmit to the Director:

- (a) a copy of each final decree of divorce entered during that month in the register of the Supreme Court, and
- (b) a statement in the prescribed form respecting the divorce.

Registration
of divorce.

(2) The Director, upon receipt of the copy of the final decree of divorce and the statement in the prescribed form transmitted pursuant to sub-section (1) of this section, shall register the divorce in his office.

Marginal
notation of
divorce on
marriage
registration.

(3) Where a marriage, dissolved or nullified by a final decree of divorce was solemnized in the province and registered pursuant to the provisions of this Act previous to the divorce, the Director, upon receipt of the documents referred to in sub-section (1) of this

section shall cause a marginal notation of the divorce to be made upon the original registration of the marriage, (and shall cause a like marginal notation to be made upon the copy of the registration retained in the office of the division registrar?).

Registration
of marriage
subsequent to
divorce.

(4) Where a marriage, dissolved or nullified by a final decree of divorce, was not registered pursuant to the provisions of this Act previous to the divorce, then, upon receipt of the documents referred to in sub-section (1) of this section and upon being furnished with such other information as he may require respecting the marriage the Director, upon being satisfied as to the correctness and sufficiency of the facts, shall cause the registration of the marriage to be made (in the office of the proper division registrar?) and shall cause a marginal notation to be made upon the registration in accordance with sub-section (3) of this section.

Decree of
divorce and
statement not
transmitted
by registrar
of court.

(5) Where a marriage has been dissolved or nullified by a final decree of divorce, and where the copy of the final decree of divorce and the statement in the prescribed form have not been transmitted pursuant to sub-section (1) of this section, the Director, upon the production of a copy of the final decree of divorce, shall cause the divorce to be registered in accordance with sub-section (2) of this section, and shall carry out the duties imposed on him under sub-section (3) or, in the alternative, sub-section (4) of this section.

Dissolution
of marriage
solemnized
outside the
province.

(6) Where a marriage, solemnized outside the province, has been dissolved or nullified by a final decree of divorce, the Director, upon receipt of the documents referred to in sub-section (1) of this section, shall register the divorce in accordance with sub-section (2) of this section, and shall forward a certified copy of the final decree of divorce to the Director of Vital Statistics of the province in which the marriage was solemnized.

Dissolution
outside the
province of
marriage
solemnized
in the
province.

(7) Where a marriage, solemnized in the province, has been dissolved or nullified by an order, judgment or decree made by a court of competent jurisdiction in another province, the Director, upon receipt of a certified copy of such an order, judgment or decree, shall cause the divorce to be registered in accordance with subsection (2) of this section and shall carry out the duties imposed on him under subsection (3) or, in the alternative, sub-section (4) of this section.

Divorce
notation to
be dated and
initialled.

(8) Every marginal notation made pursuant to the provisions of this section shall be dated and initialled by the reviewing officer designated by the Director.



REGISTRATION OF DEATHS

Registration
of deaths.

19. (1) The death of every person who dies in the province shall be registered in the office of the division registrar of the division in which the death occurred.

Personal
particulars
of the
deceased.

(2) The occupier of the house in which a person dies, or, if the occupier be the person who has died, every adult person, whether a relative of the deceased or not, who was present at the death or has knowledge of the facts, shall forthwith give to the funeral director, upon his request, all the personal particulars with respect to the deceased, so far as they are known, which are required for the completion of the statement in the form prescribed for the registration of death.

Certification
by medical
practitioner
or coroner.

(3) The legally qualified medical practitioner who was last in attendance during the last illness of the deceased, or the coroner who conducts an inquest on the body or an enquiry into the circumstances of the death, shall forthwith after the death or inquest or enquiry, as

the case may be, complete and sign the medical certificate of the cause of death in the prescribed form, stating therein the cause of death according to the International List of Causes of Death as last revised by the International Commission called for that purpose, and shall cause the medical certificate of the cause of death to be delivered to the funeral director.

Death
without
medical
attendance.

(4) Where a death occurs without medical attendance, and where there is reason to believe that the death was not the result of violence or misadventure as set forth in sub-section (5) of this section, the funeral director shall forthwith notify the local medical health officer or a legally qualified medical practitioner and refer the case to him for immediate investigation. The local medical health officer or the legally qualified medical practitioner shall complete and sign the medical certificate of cause of death in accordance with sub-section (3) of this section.

Death by
violence or
misadventure.

(5) Where there is reason to believe
that a person has died:

- (a) as a result of violence or misadventure, or
- (b) by unfair means, or
- (c) from any cause other than disease, or
- (d) as a result of negligence or misconduct on the part of others, or
- (e) under such circumstances as require investigation,

no acknowledgment of the registration of the death and no burial permit shall be issued by the division registrar unless and until:

- (a) the body has been examined by the coroner and enquiry has been made into the circumstances of the death, as provided by "The Coroner's Act";
- (b) the coroner has signed the medical certificate of the cause of death in accordance with sub-section (3) of this section, and

(c) the other provisions of this Act respecting the registration of death have been complied with,

nor shall the body be embalmed or cremated, nor any embalming fluid or other chemical be applied to it internally or externally, nor shall any other change or alteration be made thereto unless and until the coroner so directs.

Reference
to coroner.

(6) Where it is impossible for a legally qualified medical practitioner or local medical health officer to determine the cause of death, or where the circumstances of the case indicate that the death was caused by unlawful or suspicious means, the case shall be referred by either of them to the coroner for investigation and certification, and if the coroner cannot then determine the cause of death, he may order that a post-mortem examination be made with a view to determining the cause of death.

Duty of
funeral
director.

(7) Upon receipt of the personal particulars with respect to the deceased given in accordance with sub-section (2) of this section and of the medical certificate of the cause of

death duly completed in accordance with sub-section (3), (4), (5) or (6) of this section, the funeral director shall complete the statement in the prescribed form, including a statement of the proposed date and place of the burial, cremation or other disposition, or the removal of the body, and shall forthwith deliver or mail the completed statement respecting the death to the division registrar of the division in which the death occurred.

Death in
camp and
mine.

(8) Where a death occurs in a camp or mine, the manager or other person in charge of the camp or mine shall:

(a) within twenty-four hours after the death and before the removal of the body from the camp or mine or the burial or other disposition, give notice of the death in the prescribed form to the division registrar, and

(b) furnish, to the best of his knowledge and belief, such personal particulars respecting the deceased and such other information as

may be required by the division
registrar for the purpose of
registration of the death.

Registration
of death by
division
registrar.

20. (1) Upon the receipt, within one year from the day of the death, of a statement in the prescribed form respecting the death, including the medical certificate of the cause of death, the division registrar, upon being satisfied as to the correctness and sufficiency of the facts stated therein, shall register the death in his office.

Statement
received by
registrar of
another
division.

(2) Where it is impracticable, by reason of distance, to deliver or mail the statement in the prescribed form respecting a death to the division registrar of the division in which the death occurred, the statement may be delivered or mailed to the nearest division registrar, and such division registrar, upon receipt of the fee of twenty-five cents, shall:

(a) issue an acknowledgment of the registration of the death and a burial permit, and

(b) forward the statement forthwith to the division registrar of the division in which the death occurred, who shall register the death in accordance with subsection (1) of this section.

Disposition
of fee.

(3) The division registrar issuing the acknowledgment of the registration of the death and the burial permit in accordance with subsection (2) of this section, shall be entitled to the fee prescribed therein for the use of his office.

Registration
of death by
Director.

21. (1) Where a death has not been registered within one year from the day of the death, or where the division registrar has refused to register a death, if application for registration is made to the Director by statutory declaration, accompanied by a statement in the prescribed form respecting the death and such other evidence as may be prescribed, the Director, upon being satisfied as to the bona fides of the application and the correctness and sufficiency of the facts stated, shall cause registration of the death to be made (in the office of the proper division registrar?).

Appeal from
refusal of
Director.

(2) Where an application for the registration of a death under sub-section (1) of this section has been refused by order of the Director, if, within one year of the refusal, application for registration is made in a summary manner to any Judge of the Supreme Court or to a judge of any county court, the judge, upon being satisfied as to the bona fides of the application and the correctness and sufficiency of the evidence adduced on the hearing of the application, may make an order directing the registration of the death, and the Director, upon the service on him of the

order, shall cause the registration of the death to be made (in the office of the proper division registrar?).

Notice of
hearing.

(3) No order shall be made by a judge under sub-section (2) of this section unless at least thirty days' notice of the hearing of the application has been served on the Director, accompanied by a statement of the particulars of the application and by copies of all papers intended to be produced to the judge on the hearing of the application.

Production of
order of
refusal.

(4) In every case of an appeal, the original order of refusal issued by the Director, setting forth the reasons for such refusal, shall be produced to the judge for his information on the hearing of the application.

Acknowledgment
of registration
of death and
issuance of
burial permit.

22. (1) Upon the registration of a death pursuant to sub-section (1) of section twenty of this Act, the division registrar shall prepare and issue to the funeral director:

- (a) an acknowledgment showing that the death has been duly registered, and
- (b) a burial permit for the purpose of burial, cremation or other disposition or removal of the body.

(2) Where a person has died under circumstances referred to in sub-sections (5) and (6) of section nineteen of this Act, and it is impossible for the coroner to complete a medical certificate of the cause of death, the coroner may issue his warrant to bury, as provided by "The Coroners' Act", and the division registrar, upon the filing with him of the warrant to bury, shall issue an acknowledgment of the registration of the death and a burial permit. The coroner, within forty-eight hours of his determining the cause of death, shall complete the medical certificate of the cause of death, and shall forthwith deliver or mail the completed statement respecting the death to the division registrar.

Issuance of
acknowledgment
and burial
permit on
coroner's
warrant.

EXHIBIT "A"

FORM

PROVINCE OF.....

"VITAL STATISTICS ACT"

ACKNOWLEDGMENT OF REGISTRATION OF DEATH

This is to certify that the death

of..... (Name)

of..... (Address)

has been duly registered in accordance with the provisions of the Act
at....., on the.....day of....., 19....
Division Registrar of Births, Marriages and Deaths.(This form is to be retained by the funeral director as evidence of his
having complied with the provisions of the "Vital Statistics Act".)

FORM

PROVINCE OF.....

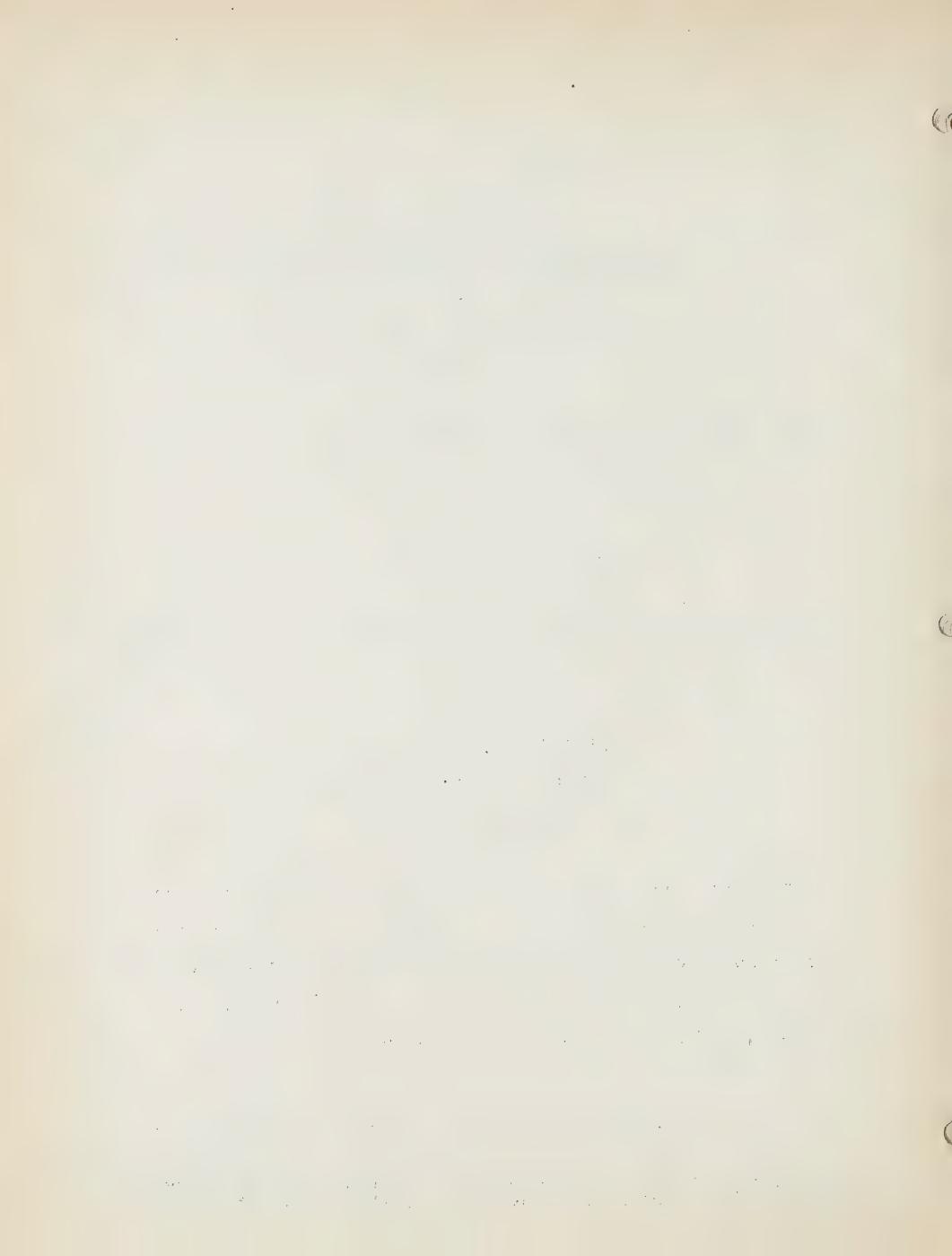
"VITAL STATISTICS ACT"

PERMIT FOR BURIAL

The death of..... (Name)

of..... (Address)

has been duly registered in accordance with the provisions of the Act
at....., on the.....day of....., 19.... ,
and permission for interment is hereby granted......
Division Registrar of Births, Marriages and Deaths.(This form is to be retained by the cemetery owner as evidence of his
having complied with the provisions of the "Vital Statistics Act".)



Registration
before burial
or other
disposition.

(3) No person shall:

- (a) bury or cremate, or
- (b) otherwise dispose of the body of any person who dies in the province, or
- (c) remove the body from the division in which the death occurred, or
- (d) conduct or take part in any funeral or religious service for the purpose of burial, cremation or other disposition of the body,

unless and until:

- (a) the death has been registered pursuant to the provisions of this Act;
- (b) an acknowledgment of the registration of the death and a burial permit have been obtained from the division registrar, and
- (c) the burial permit has been produced to the person conducting the funeral or religious service,

except under the following conditions and in accordance with the following provisions:

Exceptions.

- (a) where the death has been duly registered, but it is impossible to obtain an acknowledgment of the registration and a burial permit, the burial, cremation or other disposition, or the removal of the body, and the funeral or religious service, may take place prior to an acknowledgment of the registration of the death and a burial permit having been obtained;
- (b) where the circumstances render it impossible to register the death within the time prescribed, the burial, cremation or other disposition, or the removal of the body, and the funeral or religious service, may take place prior to the death having been registered,

Proviso.

but the funeral director and the person in charge of the funeral or religious service shall forthwith thereafter procure all necessary information, and take such other steps as are required for the purpose of registering the death and obtaining an acknowledgment of the registration of the death



and a burial permit pursuant to the provisions of this Act.

Funeral
director
to retain
acknowledgment.

(4) The acknowledgment of the registration of the death referred to in sub-section (1) of this section shall be retained by the funeral director as evidence of his having complied with the provisions of this Act.

Removal
of body.

(5) Where the body of any person is to be removed, by a transportation company or other common carrier, to the place of burial, cremation or other disposition, such removal shall not take place unless or until the burial permit has been affixed to the outside of the casket.

Death out-
side the
province.

(6) Where the death has occurred outside the province and the burial, cremation or other disposition of the body is to take place in a registration division in the province, a burial, transit or removal permit, or such other document as may be prescribed under the statutes of the province or country in which the death occurred, signed by the division registrar or other proper officer, shall be sufficient authority for the burial, cremation or other disposition of the body.

Registration
of death
of infant.

(7) In the case of the death of a child under one year of age, the division registrar shall not issue an acknowledgment of the registration of the death and a burial permit unless or until he has ascertained the place of birth of the child, and, if the birth has taken place in the division of which he is the registrar, he shall not issue an acknowledgment of the registration of the death and a burial permit unless or until he is satisfied that the birth has been registered.

No burial
allowed
without
permit.

23. (1) No cemetery owner shall, except as provided in sub-section (3) of section twenty-two of this Act, permit the interment or cremation of the body of any deceased person in the cemetery, burial ground, or crematorium of which he has charge, unless and until the funeral director or the person officiating at the burial has delivered to him the burial permit issued by the proper division registrar.

Cemetery
owner to
retain bur-
ial permit.

(2) The cemetery owner shall retain the burial permit as evidence of his having complied with the provisions of this Act.

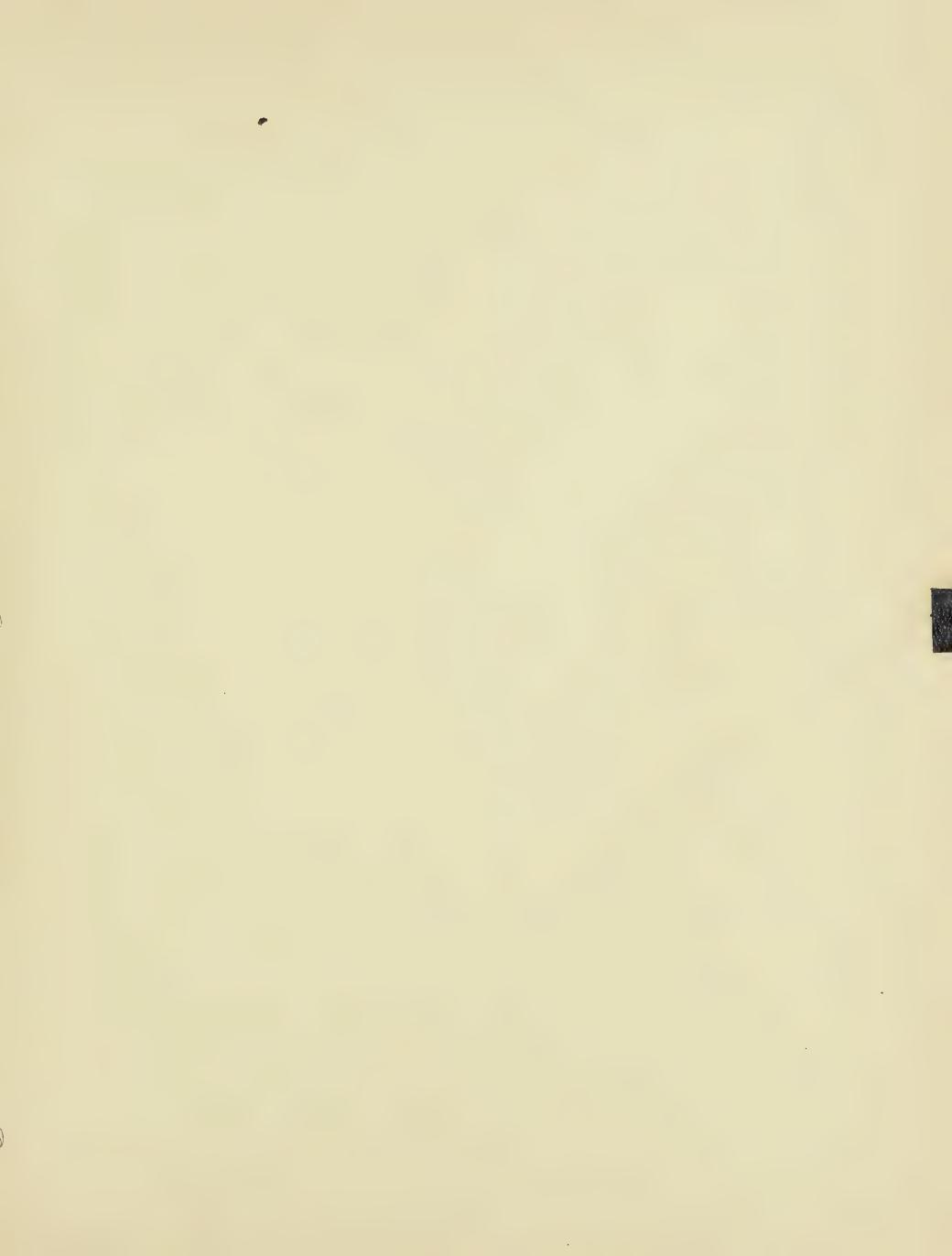
Returns of
burials and
cremations.

(3) The cemetery owner shall, at the expiration of the months of March, June, September and December of each year, transmit to the Director a return in the prescribed form of the burials and cremations which took place in the cemetery, burial ground, or crematorium of which he has charge during the three months last preceding.

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REGISTRATION OF BIRTHS AND DEATHS OCCURRING ON
THE HIGH SEAS

Appointment
of Marine
Registrar.

24. (1) For the purpose of carrying out the provisions of this section, the Lieutenant-Governor in Council may appoint a person as Marine Registrar of Births and Deaths, who shall hold office during pleasure, and who shall, under the direction of the Director, have charge of the registration of births and deaths occurring on the high seas on board any ship whose port of registry is in the province.

Births and
deaths on
high seas.

(2) Where the birth of any child or the death of any person occurs on board any ship whose port of registry is in the province, while such ship is on the high seas and is not within the territorial waters of Canada or of any other country, the captain or senior officer of such ship shall:

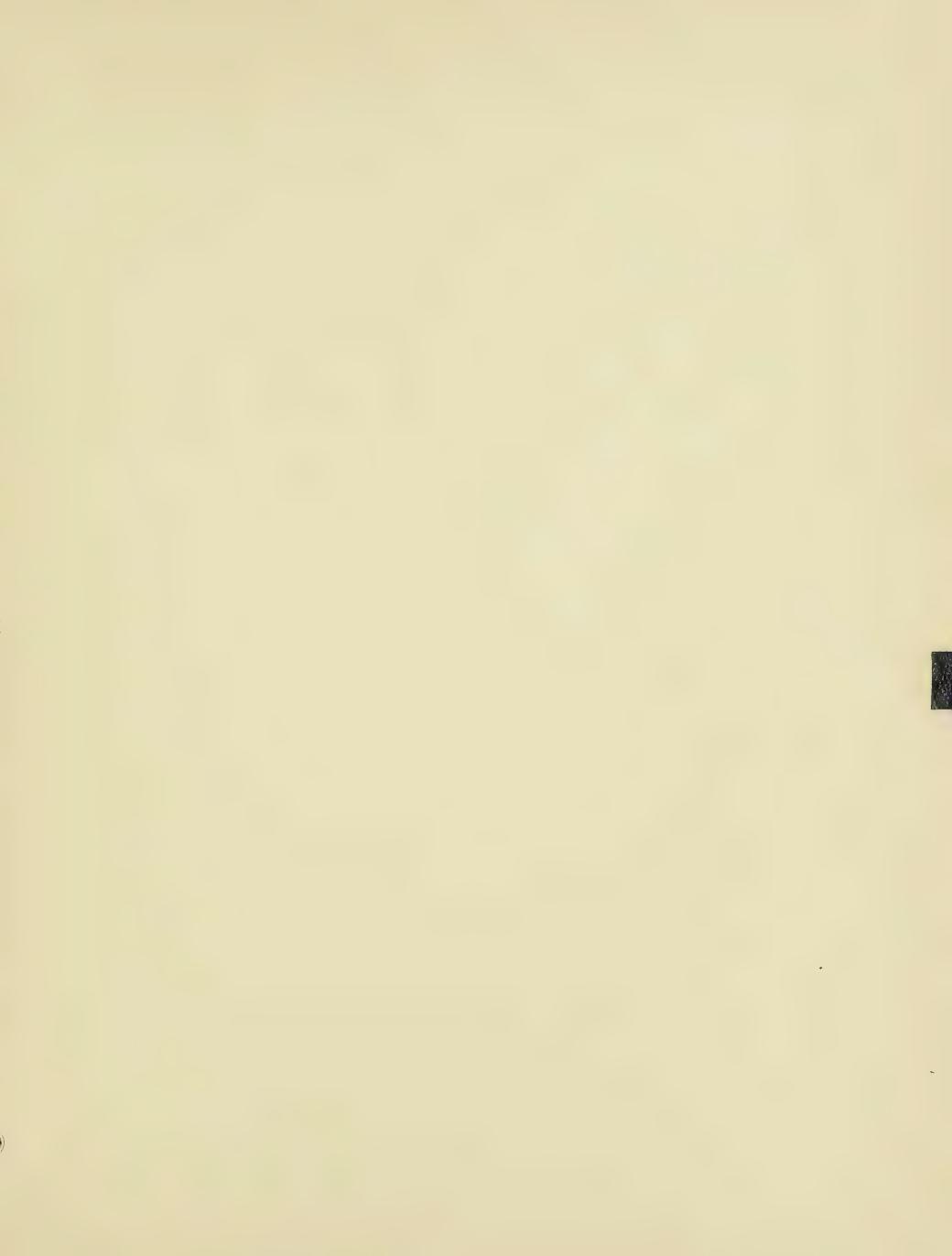
(a) upon arrival at the first port of call thereafter, forward by mail or otherwise to the Marine Registrar of Births and Deaths appointed pursuant to sub-section (1) of this section,

a statement in the prescribed form respecting such birth or such death, and

(b) upon return to the port of registry, report from his log-book such birth or such death to the Marine Registrar of Births and Deaths.

Duties of
Marine
Registrar.

(3) The Marine Registrar, appointed pursuant to sub-section (1) of this section, shall, for the purpose of carrying out the provisions of this section, assume all the duties imposed upon a division registrar by this or any other Act.





CHURCH RECORDS

Filing of church records of baptisms, marriages or burials.

25. (1) Where the registers or copies of records respecting the baptism, marriage or burial of any person, kept by any religious body, that is to say, any church or religious denomination, sect, congregation or society in the province, have been or may in the future be attested as true copies by the Director and are now or may in the future be placed on file in his office, the registers or copies of the records shall be preserved and shall remain in the custody of the Director as part of the records of his office.

Original records not to be produced as evidence.

(2) None of the original registers, or books or files containing the records, which may be placed on file pursuant to sub-section (1) shall be subject to removal from the office of the Director for the purpose of production under any process in a court of the province, but copies of any entry in the registers or of the records, attested under the signature of the Director, shall be admissible as evidence and shall have

the same effect as if the original registers or books or files were produced as evidence.

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CORRECTION OF ERRORS IN REGISTRATIONS

Correction by
marginal nota-
tion of divi-
sion registrar.

26. (1) If, within the week in which the registration of any birth, stillbirth, marriage or death is made by a division registrar, and while the original registration is still in his possession, it is reported to him that an error has been made in the registration, the division registrar shall enquire into the facts, and upon being satisfied that an error has been made, shall correct the error by making a marginal notation without any alteration being made in the body of the original registration.

Correction by
original
informant.

(2) If the person originally supplying the information contained in a registration to be corrected shall appear in person, the division registrar may permit a correction of the original registration to be made, and such correction shall be initialled by the person originally supplying the information.

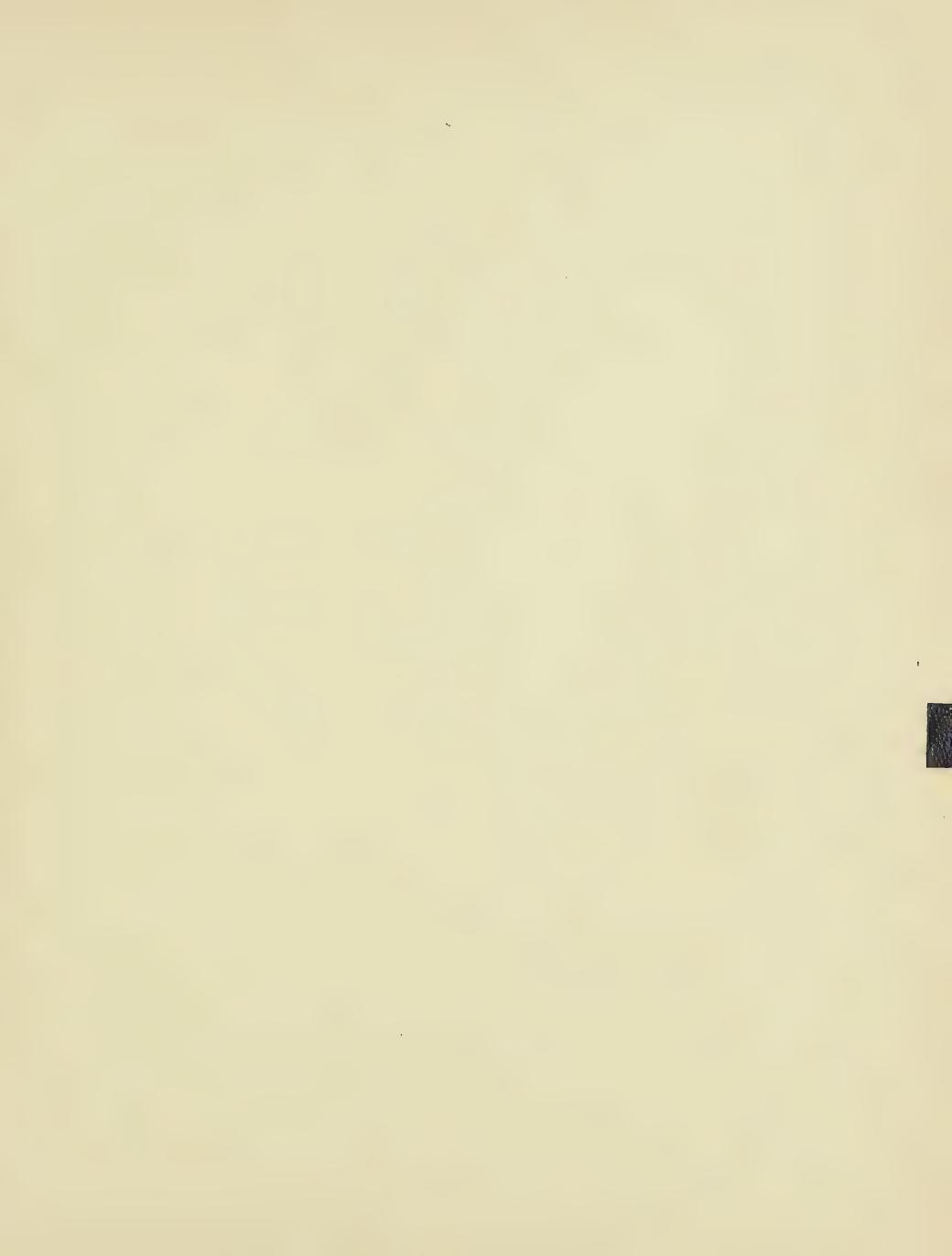
Correction by
marginal nota-
tion of Direc-
tor.

(3) Where, after the expiration of the week in which any birth, stillbirth, marriage or

death is registered by the division registrar, and the original registration has been transmitted to the Director, it is reported to him, by statutory declaration in the prescribed form, that an error has been made in the registration, the Director, upon being satisfied as to the correctness of the facts shall correct the error by making a marginal notation without any alteration being made in the body of the original registration, (and he shall cause a like marginal notation to be made upon the copy of the registration retained in the office of the proper division registrar?).

Correction
to be dated
and initialled.

(4) Every marginal notation made pursuant to the provisions of this section shall be dated and initialled by the division registrar or the reviewing officer designated by the Director.





ADMINISTRATION

Registration divisions.

27. (1) The province shall for the purpose of this Act, be divided into registration divisions and all territory within the province shall be included in a registration division.

Boundaries of registration divisions.

(2) The Lieutenant-Governor in Council shall, by notice published in the "Gazette", establish the boundaries of the registration divisions of the province, and may in like manner from time to time extend, reduce, sub-divide or abolish any registration divisions, or merge it in whole or in part in the consolidation of two or more divisions.

Appointment
of division
registrar.

28. (1) The Lieutenant-Governor in Council shall appoint a division registrar for each registration division constituted pursuant to section twenty-seven of this Act.

Sub-
division
registrar.

(2) The Lieutenant-Governor in Council may authorize the appointment of one or more persons as sub-division registrars, who shall assist and, as occasion requires, perform the duties of the division registrar.

Power
to take
affidavits.

(3) Every division registrar and every sub-division registrar shall have power to take the affidavit and receive the solemn declaration of any person for the purposes of this Act.

Enforcement
of Act by
division
registrar.

29. (1) Every division registrar shall be responsible, under the supervision and direction of the Director, for the enforcement of this Act in his registration division, and shall make an immediate report to the Director of any violation of the provision of this Act of which he has knowledge.

Duties of
division
registrar.

(2) It shall be the duty of the division registrar to:

Supplying
forms.

(a) supply, free of charge, any form required by any person in order to comply with the provisions of this Act;

Registration
of births,
stillbirths,
marriages and
deaths.

(b) receive and register every statement in the prescribed form respecting a birth, stillbirth, marriage or death which occurs in his registration division;

Issuance of
acknowledgment
and burial
permit.

(c) issue, upon registration of a stillbirth or a death, an acknowledgment of the registration of the death and a burial permit;

Examining
registrations.

(d) examine carefully the registration form respecting every birth, stillbirth, marriage or death, in order to ascertain whether or not it has been made out in the manner prescribed;

Ensuring
legibility of
registrations.

(e) ensure that the registration form respecting every birth, stillbirth, marriage or death has been hand-or type-written legibly in durable black ink;

Informing
registrants as
to incomplete
or unsatisfactory
forms.

(f) inform the proper person, where necessary, that the registration form respecting a birth, stillbirth, marriage or death is incomplete or unsatisfactory;

Withholding
issuance of
acknowledgment
and burial
permit.

(g) where the registration form respecting a stillbirth or a death is incomplete or unsatisfactory, withhold the issuance of an acknowledgment of the registration of the death and a burial permit until the registration form has been satisfactorily completed or corrected;

Informing registrants as to their responsibilities.

(h) inform the proper person of his duty to furnish the particulars required for the registration of a birth, stillbirth, marriage or death, if the division registrar has reason to believe that a birth, stillbirth, marriage or death has occurred within his division and has not been registered;

Securing necessary information.

(i) use all appropriate means to secure the necessary information for the purpose of completing the registrations required to be made in his office;

Refusing to accept incomplete forms.

(j) refuse to accept any registration form which does not contain all the particulars required, unless he has received a satisfactory explanation of the omission;

Notifying Director as to delinquents.

(k) provide the Director, within seven days, with such information as he may possess respecting the failure of any person to furnish the particulars required for the completion of a registration;

Signing registrations.

(l) sign every registration form as division registrar, in attestation of the fact and date of registration in his office;

Making copies of registrations.

(m) make one copy of every registration form respecting a birth, stillbirth, marriage or death registered by him, and retain these copies in his office and arrange and bind them in the manner prescribed;

Transmitting registrations to proper division registrar or Director.

(n) transmit to the proper division registrar or to the Director, within forty-eight hours, every original registration form received by him respecting a birth, stillbirth, marriage or death, which did not occur within his registration division;

Numbering registrations and copies.

(o) number consecutively the original registrations, and the copies thereof, respecting the births, stillbirths, marriages and deaths, registered in his office during each calendar year, in four separate series, beginning with number "1" in each series;

Administration.
Section 29.

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Transmitting
registrations to
Director.

"Nil"
returns.

Safekeeping
of registrations.

- (p) transmit to the Director, on the Saturday of each week, the original registrations of births, stillbirths, marriages and deaths received by him since transmitting his last return;
- (q) transmit to the Director, if no birth, stillbirth, marriage, or death has been registered during the week, a "Nil" return in the prescribed form;
- (r) keep in a place of safety all statements, registrations, records, notices and documents pertaining to his office.

Remuneration
of division
registrar.

30. Every division registrar appointed pursuant to sub-section (1) of section twenty-eight of this Act shall be entitled to a remuneration for each registration of a birth, stillbirth, marriage or death transmitted to the Director, at rates to be determined by the Lieutenant-Governor in Council, and such remuneration shall be paid out of the Consolidated Revenue Fund on the certificate of the Director.

Division
of Vital
Statistics.

31. (1) For the purpose of administering and carrying out the provisions of this Act, there shall be an office known as the Division of Vital Statistics.

Director
of Vital
Statistics.

(2) The Lieutenant-Governor in Council shall appoint a Director of Vital Statistics, who shall be the chief officer responsible for the direction, administration and supervision of the division established pursuant to sub-section (1) of this section.

Acting
Director
of Vital
Statistics.

(3) The Lieutenant-Governor in Council may appoint an Acting Director of Vital Statistics, who, during the absence of the Director, shall assume all the powers and carry out the duties of the Director.

Inspectors
of Vital
Statistics.

(4) The Lieutenant-Governor in Council may appoint as Inspectors of Vital Statistics such number of persons as may be required for the purpose of carrying out the provisions of this Act.

Duties of
Inspector
of Vital
Statistics.

(5) Under the direction of the Director, the Inspector shall:

- (a) inspect the offices of the division registrars in the province;
- (b) examine the registrations and documents kept therein under this Act;
- (c) ensure that all registrations are legible and made in the proper manner;
- (d) submit a report in respect of the office of any division registrar, as required by the Director;
- (e) upon being notified of any violation of this Act, make an investigation, and, where he considers it necessary, institute proceedings against any person deemed to be guilty of any such violation, and
- (f) perform such other duties as may be prescribed by the Director for the purpose of carrying out the provisions of this Act.

Duties of
Director.

32. (1) The Director shall be the chief officer responsible for the direction, administration and supervision of the system of registration of births, stillbirths, marriages, deaths, adoptions and divorces in the province, and for the uniform and proper enforcement of the provisions of this Act.

Examination
of regis-
trations.

(2) The Director shall cause the registrations received weekly from the division registrars to be examined and, if any are found to be incomplete or unsatisfactory, shall require such information to be supplied as may be necessary to complete the registration.

Registrations
incomplete as
to signatures.

(3) Where it is found upon examination that any registration received from a division registrar is incomplete as to the required signatures, the Director shall cause the registration to be returned by registered mail to the proper division registrar, in order that such signature or signatures may be affixed thereto.

Classification
of deaths
according to
International
List.

(4) The Director shall cause all deaths registered pursuant to this Act to be classified according to the International List of Causes of

Death as last revised by the International Commission called for that purpose, and shall supply, free of charge, to every legally qualified medical practitioner in the province, a Physician's Pocket Reference Book explanatory of that list.

Filing,
numbering and
indexing of
registrations
by Director.

(5) The Director shall cause the original registrations received in his office in respect of the births, stillbirths, marriages, deaths, adoptions and divorces occurring in each calendar year, to be:

- (a) filed by calendar year of occurrence;
- (b) numbered consecutively in six separate series, beginning with number "001001" in each series;
- (c) indexed alphabetically by surname, and
- (d) kept in vaults provided for that purpose.

Administration.
Section 33.

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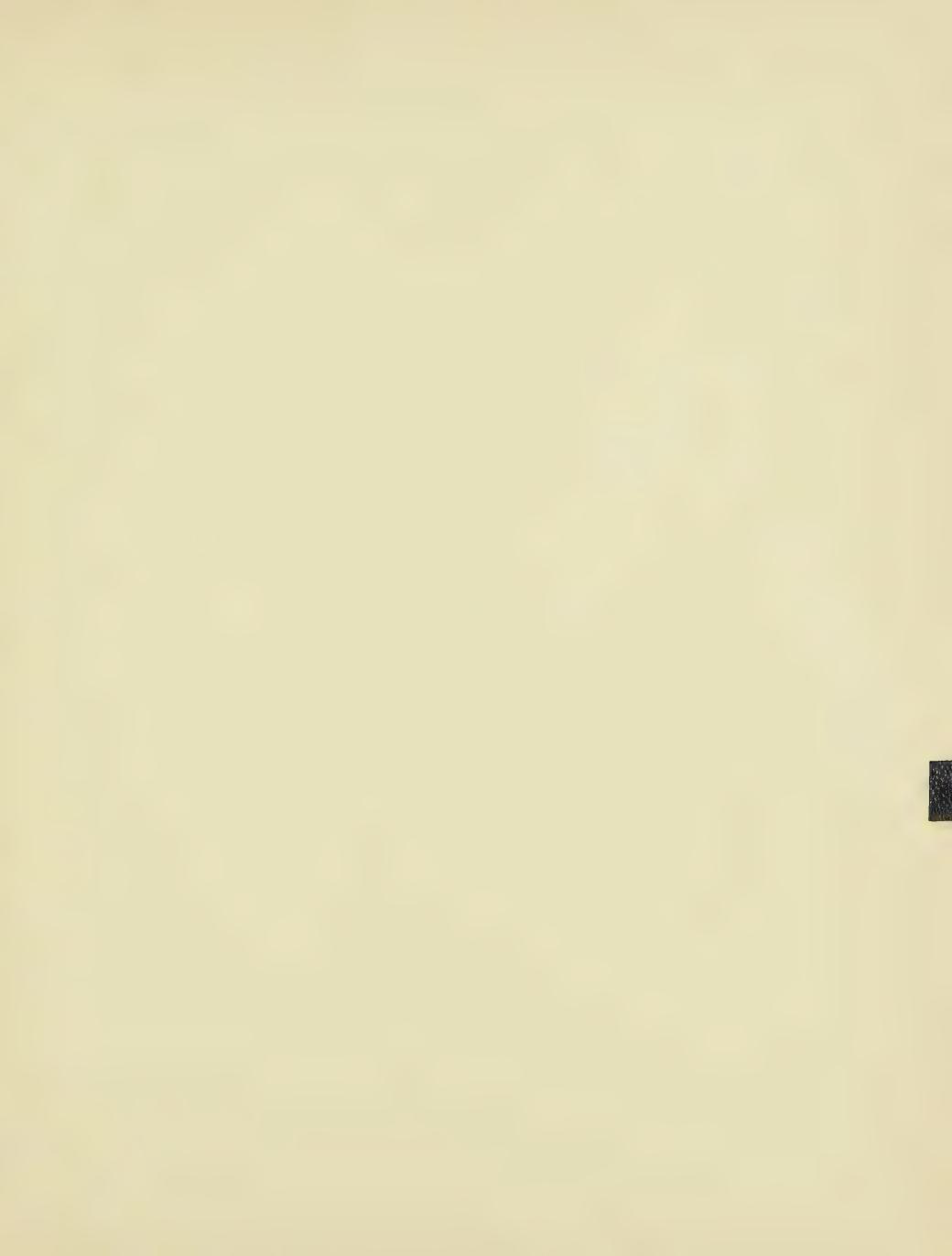
Delivery of
records to
successor.

33. Where the appointment of any person, appointed pursuant to the provisions of this Act, is terminated by death, resignation or otherwise, all the records and other documents pertaining to his office under this Act shall be delivered to his successor.

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FORMS

Director
to prescribe
forms.

3⁴. (1) The Director shall from time to time prescribe the forms to be used for the purpose of carrying out the provisions of this Act, and shall distribute them to the division registrars, and the cost of the production of such forms and of their distribution shall be paid out of the Consolidated Revenue Fund, except in so far as the cost relates to the production of the standard forms for registration supplied to the Director by agreement under "The Statistics Act" (Canada).

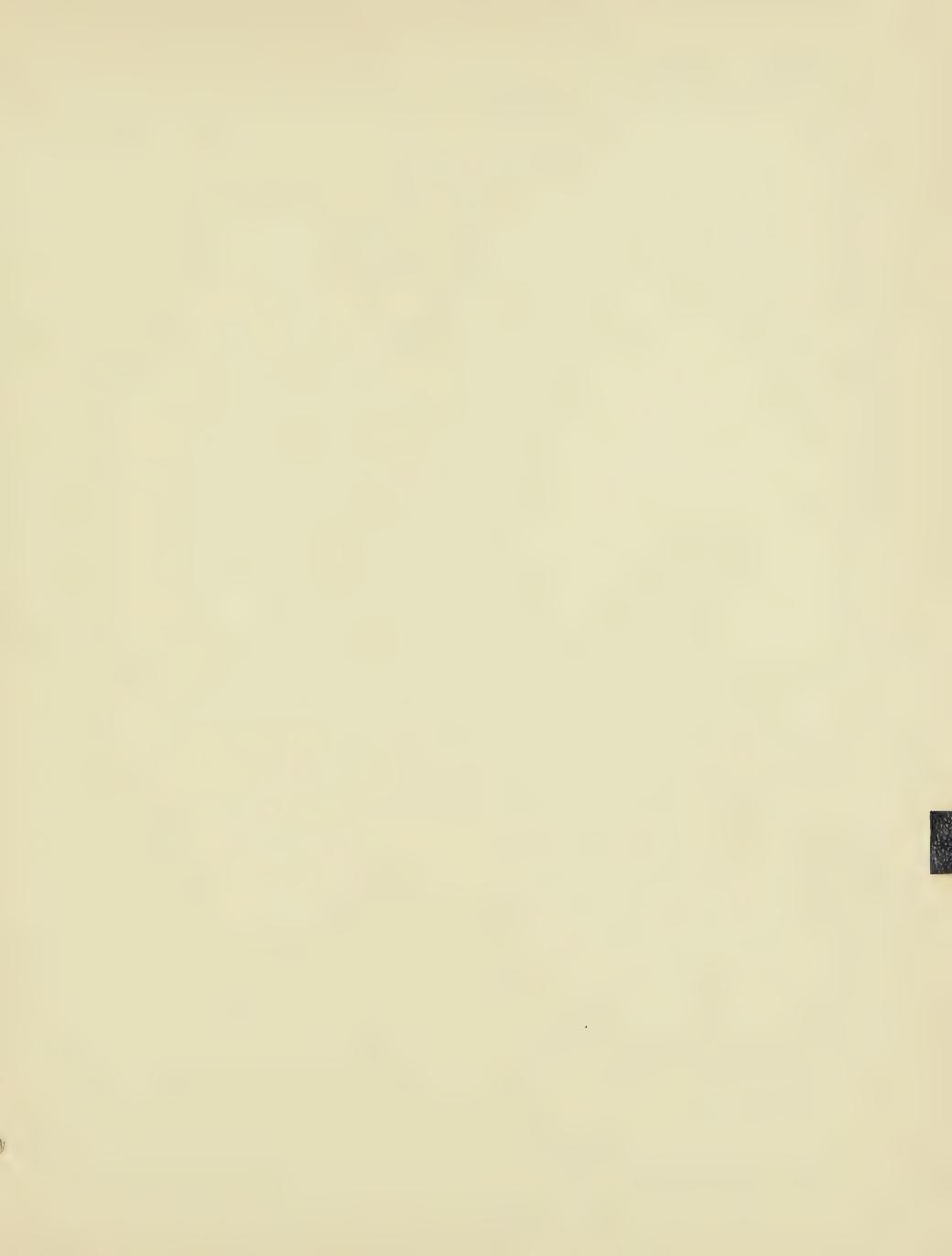
No other
forms to
be used.

(2) No forms other than those prescribed and supplied by the Director shall be used for the purpose of carrying out the provisions of this Act.

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Searches.
Section 35.

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SEARCHES

Searches
of regis-
trations.

35. (1) Any person, upon application in the prescribed form and upon payment of the prescribed fee, may have a search made of the registrations of births, stillbirths, marriages and deaths filed in the office of the Director.

Searches
of church
records.

(2) Any person, upon application in the prescribed form and upon payment of the prescribed fee, may have a search made of the records of baptisms, marriages and burials placed on file in the office of the Director pursuant to section twenty-five of this Act.

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ISSUANCE OF CERTIFICATES

"Short form" certificate of birth or stillbirth.

36. (1) Any person, upon application in the prescribed form and upon payment of the prescribed fee, may obtain a certificate in the prescribed form in respect of the registration of a birth or a stillbirth, and the certificate shall be issued in accordance with the facts stated on the original registration as amended by any marginal notations made thereon, and shall contain only:

- (a) the surname and all Christian or given names of the child;
- (b) the month, day and year of birth;
- (c) the municipality or other place of birth;
- (d) the sex of the child;
- (e) the date of registration by the division registrar;
- (f) the date of issuance of the certificate, and
- (g) the serial number of the registration assigned pursuant to sub-section (5) of section thirty-two of this Act.

"Long form" certificate of birth or stillbirth.

(2) The Director, upon application in the prescribed form, which shall include a statement as to the reasons for requiring the certificate, and upon payment of the prescribed fee, may, if satisfied as to the reasons given by the applicant, issue to any person a certificate or certified copy in the prescribed form in respect of the registration of a birth or a stillbirth, and the certificate or certified copy shall be issued from the original registration and shall include any marginal notations made thereon.

Saving clause.

(3) No certificate or certified copy issued in respect of the registration of a birth or a stillbirth, and no certified extract therefrom, shall be issued in such a manner as to disclose the natural parentage of an adopted child or of a child born out of wedlock, except to:

(a) any person who requires such certificate, certified copy or extract in order to comply with the provisions of "The Adoption Act";

(b) any officer of the Crown who requires such certificate, certified copy or

extract, for use in the discharge
of his official duties;

- (c) any person, upon the authority in writing of the Attorney-General or upon the order of a judge of the Supreme Court, or
- (d) any court, upon the order of the court and payment by the applicant of the prescribed fee.

Photographic
print of
registration
of birth or
stillbirth.

(4) A photographic print of the registration of a birth or a stillbirth shall be issued only to:

- (a) any person, upon the authority in writing of the Attorney-General or upon the order of a judge of the Supreme Court, or
- (b) any court, upon the order of the court and payment by the applicant of the prescribed fee.

"Short form"
certificate
of marriage.

(5) Any person, upon application in the prescribed form and upon payment of the prescribed fees, may obtain a certificate in the prescribed form in respect of the registration of a marriage,



Certificates.
Section 36.

- 87 -

and such certificate shall be issued in accordance with the facts stated on the original registration as amended by any marginal notations made thereon, and shall contain only:

- (a) the surnames and all Christian or given names of the contracting parties;
- (b) the month, day and year of marriage;
- (c) the municipality or other place of marriage;
- (d) the date of registration by the division registrar;
- (e) the date of issuance of the certificate, and
- (f) the serial number of the registration assigned pursuant to sub-section (5) of section thirty-two of this Act.

"Long form" certificate of marriage.

(6) The Director, upon application in the prescribed form and upon payment of the prescribed fee, may issue a certificate or certified copy in the prescribed form in respect of the registration of a marriage to:

Certificates.
Section 36.

- 88 -

- (a) either of the contracting parties;
- (b) a parent of either of the contracting parties or a child of the marriage, or
- (c) to any other person upon the direction of the Director,

and the certificate or certified copy shall be issued from the original registration and shall include any marginal notations made thereon.

Photographic
print of
registration
of marriage.

(7) A photographic print of the registration of a marriage shall be issued upon application in the prescribed form and upon payment of the prescribed fee to:

- (a) either of the contracting parties;
- (b) any court, upon order of the court and payment by the applicant of the prescribed fee, or
- (c) any other person upon the direction of the Director.

"Short form"
certificate
of death.

(8) Any person, upon application in the prescribed form and upon payment of the prescribed fee, may obtain a certificate in the prescribed



Certificates.
Section 36.

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form in respect of the registration of a death, and the certificate shall be issued in accordance with the facts stated on the original registration as amended by any marginal notation made thereon, and shall contain only:

- (a) the surnames and all Christian or given names of the deceased;
- (b) the month, day and year of death;
- (c) the municipality or other place of death;
- (d) the sex of the deceased;
- (e) the date of registration by the division registrar;
- (f) the date of issuance of the certificate, and
- (g) the serial number of the registration assigned pursuant to sub-section (5) of section thirty-two of this Act.

"Long form" certificate of death.

(9) The Director, upon application in the prescribed form, which shall include a statement as to the reasons for requiring the certificate, and upon payment of the prescribed fee, may, if satisfied as to the reasons given by the applicant,



Certificates.
Section 36.

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issue to any person a certificate or a certified copy in the prescribed form in respect of the registration of a death, and the certificate or certified copy shall be issued from the original registration and shall include any marginal notations made thereon.

Photographic
print of
registration
of death.

(10) A photographic print of the registration of a death shall be issued only to:

- (a) any person, upon the authority in writing of the Attorney-General or upon the order of a Judge of the Supreme Court, or
- (b) any court, upon order of the court and payment by the applicant of the prescribed fee.

Certificates
from church
records.

(11) Any person, upon application in the prescribed form and upon payment of the prescribed fee, may, with the approval of the Director, obtain a certificate in the prescribed form in respect of the record of a baptism, marriage or burial placed on file pursuant to the provisions of section twenty-five of this Act.



Certificate.
Section 36.

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No certificate
of adoption
or divorce.

(12) No certificate, certified copy or photographic print shall be issued under the provisions of this Act in respect of the registration of an adoption or a divorce made pursuant to the provisions of this Act.



Certificates.
Section 37.

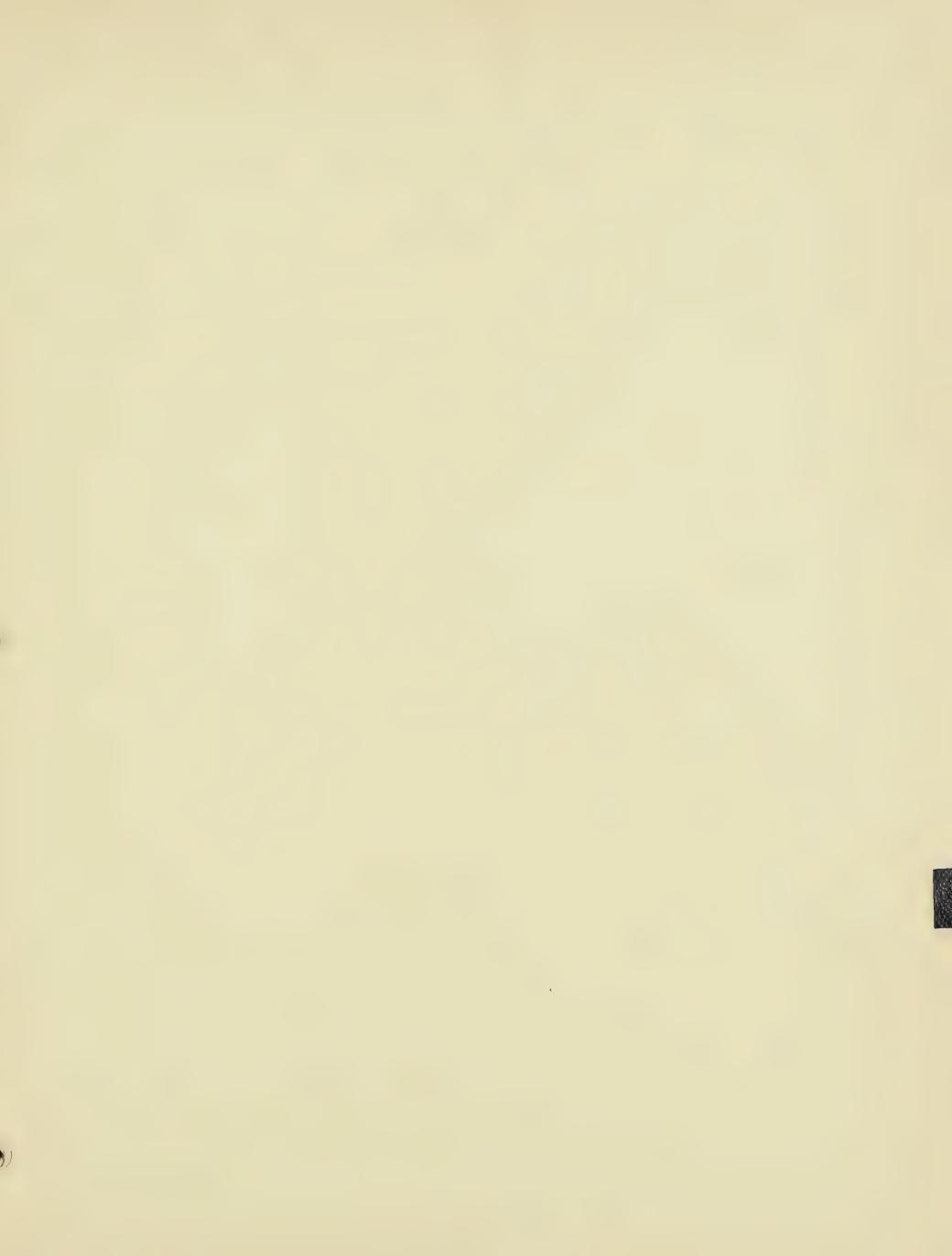
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Certificates
to be issued
only by
Director.

37. (1) Every certificate, certified copy or photographic print, issued pursuant to the provisions of section thirty-six of this Act, shall be issued by the Director, and no other person shall issue any document which purports to be a certificate of birth, stillbirth, marriage or death, except in accordance with the provisions of this Act.

Certificates
to bear
seal.

(2) Every certificate, certified copy or photographic print, issued pursuant to the provisions of section thirty-six of this Act, and every order or other document, issued by the Director in carrying out the provisions of this Act, shall bear the seal of office of the Director.



EFFECT OF CERTIFICATES

Certificates as prima facie evidence. issued pursuant to section thirty-six of this Act,

Exception. shall be received in every court of the province as prima facie evidence of the facts therein certified to be registered, and it shall not be necessary to prove the signature or official position of the person by whom the certificate purports to be signed, provided, however, that no certificate or certified copy issued in respect of the registration of any birth or stillbirth shall establish any presumption as to the parentage or legitimacy of the child.

Photographic prints as evidence.

(2) Photographic prints issued in respect of the registration of a birth, stillbirth, marriage or death, and including marginal notations made thereon and other documents relative thereto, shall, upon certification by the Director as to the photographing of the original document and the production of a print, be receivable in evidence for all purposes for which the original document is receivable, whether or not the original is still in existence.

Effect of
certificates.
Section 38.

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Certificates
from micro-
photographic
records.

(3) Certificates and certified copies
issued from microphotographic records of the
registrations of births, stillbirths, marriages
and deaths, shall have the same force and effect
as certificates and certified copies issued in
respect of the original registrations.

Fees.
Section 39.

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FEES

No fee for
registration.

39. (1) No person furnishing information required for the purpose of the registration of a birth, stillbirth, marriage or death shall be charged any fee for carrying out the duties imposed upon him by this Act.

Fees for
searches,
certificates
and prints.

(2) Subject to such regulations as may be made under the authority of this Act, the fees to be paid for searches made of the registrations and records of births, stillbirths, marriages and deaths kept in the office of the Director, and for certificates, certified copies or photographic prints issued pursuant to section thirty-six of this Act, shall be as follows:

(a) for a search for one registration, confined to a period of three years or less, fifty cents;

(b) for a search for one registration, extending over a period of more than three years, two dollars;

- (c) for a certificate in respect of a registration, in addition to the fee for the search, fifty cents;
- (d) for a photographic print of a registration, in addition to the fee for the search, one dollar;

Waiving
of fees by
Director.

(3) The Director may cause any search to be made or certificate, certified copy or photographic print to be issued without the payment of any fee, on application in writing by an officer charged with the administration of:

- (a) any office or branch of any department of the Government of the Province, or
- (b) any department of the Government of Canada, when a search or a certificate is required on behalf of any person, and/or his dependents for any matter in connection with his services in the defence of Canada.

Waiving of
fees by
Lieutenant-
Governor in
Council.

(4) The fees prescribed under sub-section (2) of this section shall be waived only upon the order of the Lieutenant-Governor in Council, except as provided in sub-section (3) of this section.

Accounting
and disposal
of fees.

(5) The Director shall keep a true account of all fees received by him under this Act, and shall deposit such fees with the Provincial Treasurer for the use of His Majesty.





PENALTIES

Failure to
carry out
duties.

40. (1) Every person who neglects or fails to carry out any duties imposed upon him under this Act, and within the time prescribed by this Act, shall be liable, on summary conviction, to a fine not exceeding fifty dollars.

Compliance
by one
person
sufficient.

(2) Where more than one person is required to carry out any duty under this Act, and such duty is carried out by any one of them, the other person or persons shall not be liable to any penalty in respect of any neglect or failure to carry out such duty.

No fees or
remuneration
other than
prescribed.

(3) Where a division registrar or a sub-division registrar, either personally or through an employee or representative, charges, levies or collects any fee or receives any remuneration other than those prescribed in this Act for the carrying out of any duty imposed upon him by this Act, shall be liable, on summary conviction, to a fine not exceeding fifty dollars.

Penalties.
Section 41.

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False statements.

41. (1) Every person who wilfully makes or causes to be made a false statement respecting any particulars required to be furnished under this Act, shall be liable, on summary conviction, to a fine not exceeding one hundred dollars.

False statements by medical practitioners.

(2) Every legally qualified medical practitioner who wilfully makes a false statement as to the cause of death of any person, or represents himself as having been in attendance during the last illness of any person when in fact he was not in attendance until after the death of that person, shall be subject, in addition to any fine imposed under this Act, to discipline by the Council of the College of Physicians and Surgeons.

False registrations.

(3) Every person who wilfully makes or causes to be made the registration of a birth, stillbirth, marriage, or death as having occurred in the province, in respect of a birth, stillbirth, marriage or death which did not occur in the province, shall be liable, on summary conviction, to a fine not exceeding five hundred dollars and to a term of imprisonment not exceeding six months.

Penalties.
Section 42.

- 100 -

Penalties recoverable.

42. (1) The penalties imposed under this Act shall be recoverable under "The Summary Convictions Act".

Time limit for prosecution.

(2) Every prosecution under this Act shall be commenced within one year after the offence or default, provided, however, that prosecution pursuant to the provisions of section forty-one of this Act may be commenced within twenty years after the making of the false statement or false registration.

Conduct of prosecution.

(3) Every prosecution under this Act shall be conducted by the Crown Attorney under instructions from the Director.

Expenses of prosecution.

(4) All expenses of prosecutions under this Act not recovered from the offender, whether or not conviction is obtained, shall be payable by the Director out of the Consolidated Revenue Fund.

Disposition of fines.

(5) The fines collected as the result of prosecution under this Act shall be payable to the Director for the use of His Majesty.





REGULATIONS

Regulations.

43. (1) The Lieutenant-Governor in Council may make such regulations, which are not in conflict with the provisions of this Act, as he may deem necessary for:

- (a) the purpose of effectively securing the due observance and, generally, for the better carrying-out of the provisions of this Act, and obtaining the information required thereunder;
- (b) the registration of births, stillbirths, marriages, deaths, adoptions and divorces in cases not otherwise provided for in this Act;
- (c) the issuance of certificates of births, stillbirths, marriages and deaths, in cases not otherwise provided for in this Act;
- (d) the registration of foundlings, children born out of wedlock and acknowledged by the putative father,

Regulations.
Section 43.

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or any other matter or thing affecting the registration of births, stillbirths, marriages, deaths, adoptions and divorces;

(e) the prescribing of additional fees to be paid under this Act.



GENERAL APPLICATION OF THE ACT

Retrospective application of Act.

44. (1) The provisions of this Act shall apply in respect of any unregistered birth, stillbirth, marriage, death, adoption or divorce which occurred prior to the passing of this Act, as well as to births, stillbirths, marriages, deaths, adoptions and divorces which may occur subsequent to the passing of this Act.

Application of Act to events prior to first Act.

(2) The provisions of this Act shall apply in respect of any birth, stillbirth, marriage, death, adoption or divorce which occurred prior to the passing of the first Vital Statistics Act.

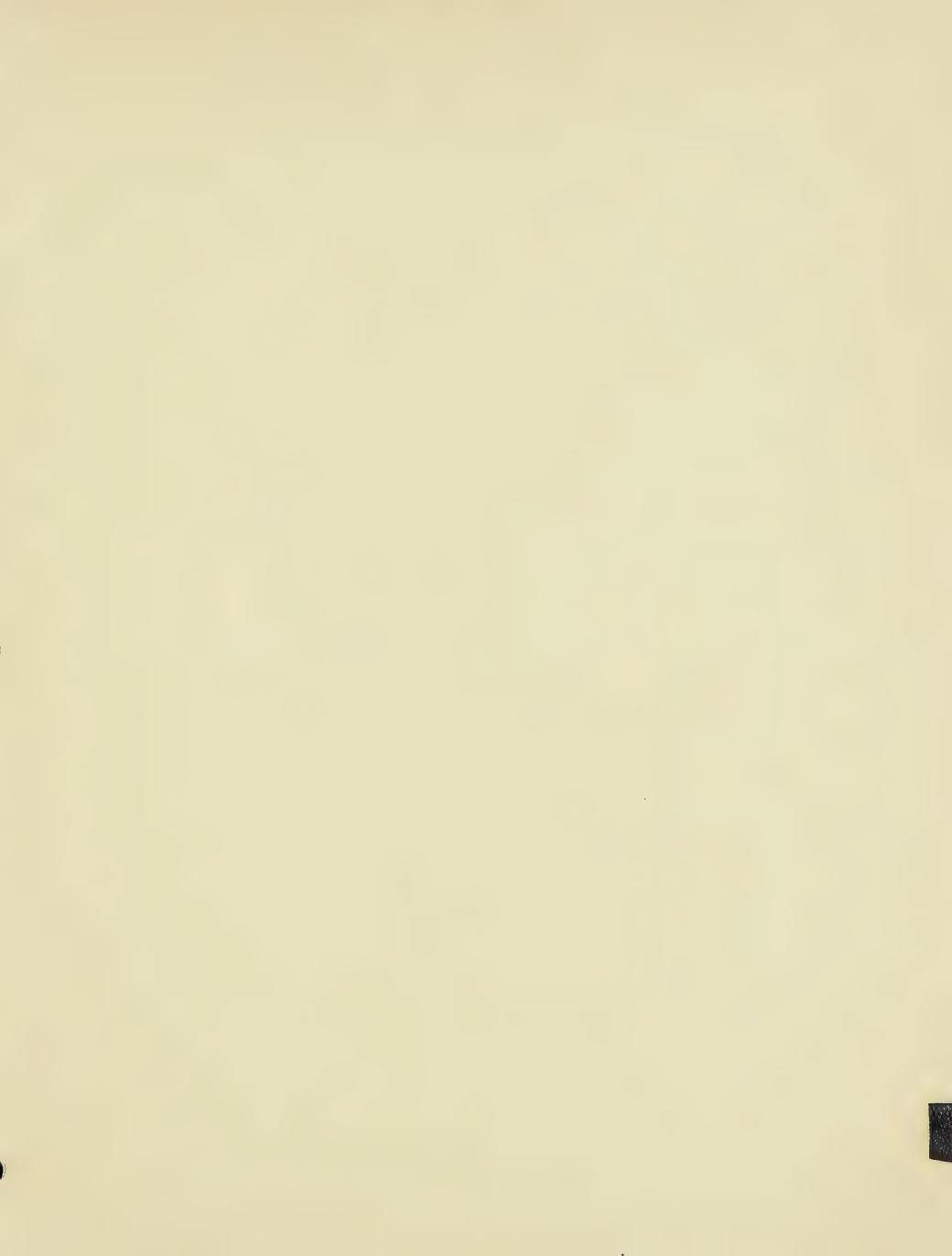
Continuation of existing records.

(3) All registrations in respect of births, stillbirths, marriages, deaths, adoptions and divorces, and all documents supplementary thereto, filed pursuant to the provisions of previous Vital Statistics Acts, shall be part of the records of the office of the Director, established pursuant to the provisions of this Act.

No other registration system allowed.

(4) No system for the registration of births, stillbirths, marriages, deaths, adoptions

or divorces shall be established, maintained or continued in any part of the province, other than the system established pursuant to the provisions of this Act.





Repeal and
coming into
force.
Section 45.

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REPEAL AND COMING INTO FORCE

Repeals
present
Act.

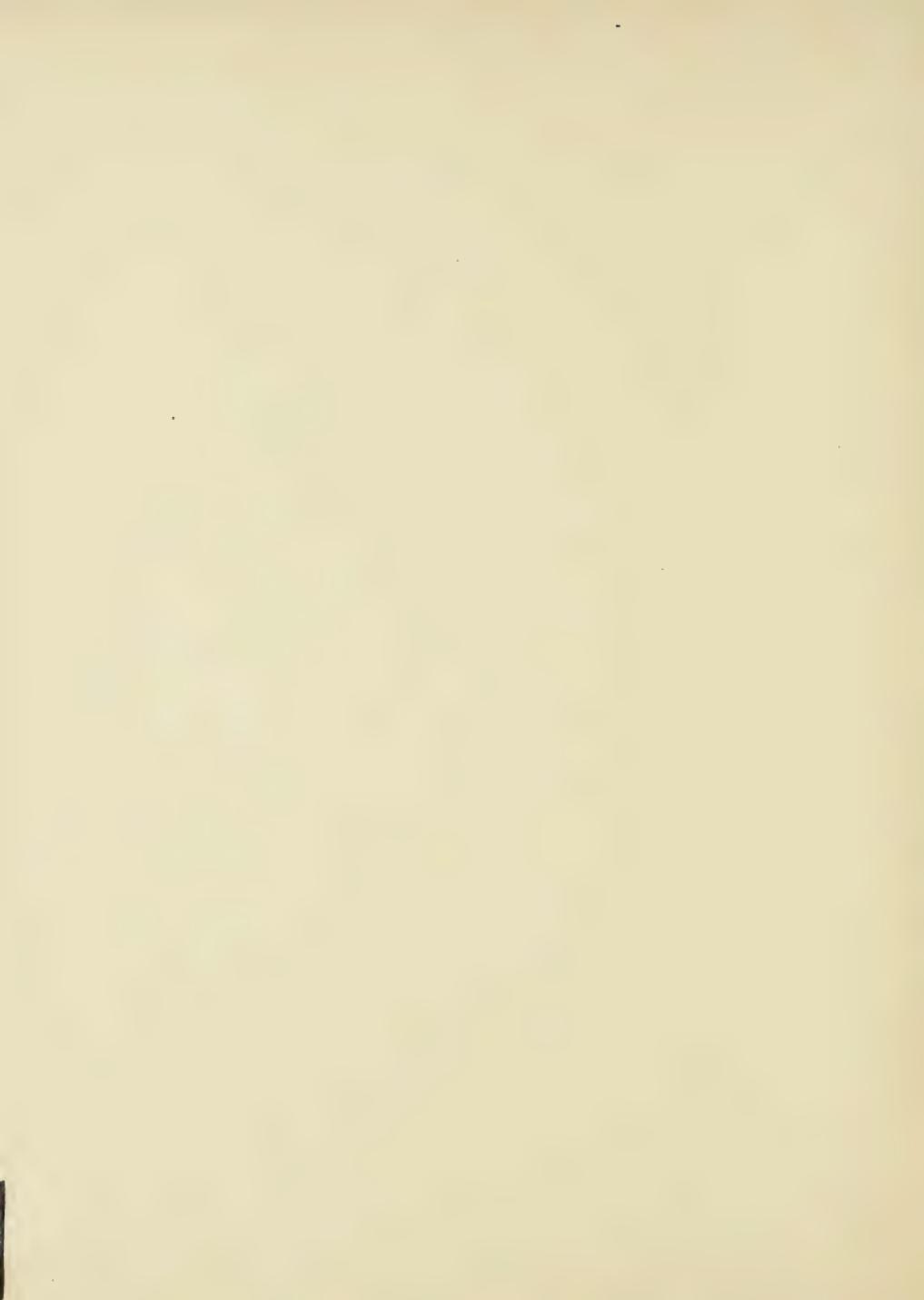
45. (1) The "Vital Statistics Act", being
Chapter.....of the "Revised Statutes
of....., 19...", and all amendments relat-
ing thereto, are repealed as, on and from the
.....day of....., 19... .

Effective
date of Act.

(2) This Act shall go into force on the
.....day of....., 19... .







THE STATISTICS ACT

1918



CHAPTER 190.

An Act respecting the Dominion Bureau of Statistics.

SHORT TITLE.

1. This Act may be cited as the Statistics Act. 1918, *Short title.*
c. 43, s. 1.

INTERPRETATION.

2. In this Act, unless the context otherwise requires, *Definitions.*
(a) "Bureau" means the Dominion Bureau of Statistics; "Bureau."
(b) "Minister" means the Minister of Trade and Commerce; "Minister."
(c) "regulation" means any regulation made under "Regulation." the provisions of this Act or any order of the Governor in Council made under the authority of this Act;
(d) "transportation company" means any railway, "Transportation" telegraph, telephone and express company and any carrier by water. 1918, c. 43, s. 2.

GENERAL.

3. There shall be a bureau under the Minister of Trade and Commerce, to be called the Dominion Bureau of Statistics, the duties of which shall be *Dominion Bureau of Statistics.*

(a) to collect, abstract, compile and publish statistical information relative to the commercial, industrial, social, economic and general activities and condition of the people; *To collect statistical information.*
(b) to collaborate with all other departments of the Government in the compilation and publication of statistical records of administration according to the regulations; *To collaborate with other Government departments.*
(c) to take the census of the Dominion as hereinafter provided. 1918, c. 43, s. 3. *To take the census.*

4. The Governor in Council may appoint an officer to be called the Dominion Statistician, who shall hold office during pleasure, whose duties shall be, under the direction

of the Minister, to prepare all schedules, forms, and instructions, and generally to supervise and control the Bureau, and to report annually to the Minister with regard to the work of the Bureau during the preceding year.

Officials.

2. Such other officers, clerks and employees as are necessary for the proper conduct of the business of the Bureau may be appointed in the manner authorized by law, and shall hold office during pleasure. 1918, c. 43, s. 4; 1918, c. 12.

Commissioners,
enumerators,
and agents.

5. The Minister may employ from time to time, in the manner authorized by law, such commissioners, enumerators, agents or persons as are necessary to collect statistics and information for the Bureau relating to such industries and affairs of the country as he deems useful and in the public interest, and the duties of such agents or persons shall be such as the Minister determines. 1918, c. 43, s. 5.

Oath of
office.

6. Every officer, census commissioner, enumerator, agent and other person employed in the execution of any duty under this Act or under any regulation made hereunder, before entering on his duties, shall take and subscribe the following oath:—

I, solemnly swear that I will faithfully and honestly fulfil my duties as in conformity with the requirements of the Statistics Act and of all proclamations, orders in council and instructions issued in pursuance thereof, and that I will not, without due authority in that behalf, disclose or make known any matter or thing which comes to my knowledge by reason of my employment as such.....

Attestation.

2. The oath shall be taken before such person, and returned and recorded in such manner as the Minister prescribes. 1918, c. 43, s. 6.

7. The Minister shall

- (a) make and prescribe such rules, regulations, instructions, schedules and forms as he deems requisite for conducting the work and business of the Bureau, the collecting of statistics and other information and taking of any census authorized by this Act;
- (b) prescribe what schedules, returns and information are to be verified by oath, the form of oath to be taken, and shall specify the officers and persons by and before whom the said oaths are to be taken. 1918, c. 43, s. 7.

Verification
by oath.

8. The Governor in Council shall not, nor shall the Minister, in the execution of the powers conferred by this Act, discriminate between individuals or companies to the prejudice of any such individual or company. 1918, c. 43, s. 8.

9. The Minister may enter into any arrangement with the government of any province providing for any matter necessary or convenient for the purpose of carrying out or giving effect to this Act, and in particular for all or any of the following matters:—

- (a) The execution by provincial officers of any power or duty conferred or imposed on any officer under this Act or the regulations;
- (b) The collection by any provincial department or officer of any statistical or other information required for the purpose of carrying out this Act; and
- (c) The supplying of statistical information by any provincial department or officer to the Dominion Statistician.

2. All provincial officers executing any power or duty conferred or imposed on any officer under this Act or the regulations, in pursuance of any arrangement entered into under this section, shall, for the purposes of the execution of that power or duty, be deemed to be officers under this Act.

3. All schedules or forms returned to a provincial department in pursuance of any arrangement entered into under this section shall be free of Canada postage, under such regulations as are from time to time made in that respect by the Governor in Council, and any person violating any such regulation shall be guilty of an offence and liable upon summary conviction to the penalties hereinafter provided. 1918, c. 43, s. 9; 1921, c. 51, s. 1.

10. Every person who has the custody or charge of any provincial, municipal or other public records or documents, or of any records or documents of any corporation, from which information sought in respect of the objects of this Act can be obtained, or which would aid in the completion or correction thereof, shall grant to any census officer, commissioner, enumerator, agent or other person deputed for that purpose by the Dominion Statistician, access thereto for the obtaining of such information therefrom. 1918, c. 43, s. 10.

11. The Minister may, by special letter of instruction, direct any officer, census commissioner or other person employed in the execution of this Act, to make inquiry under oath as to any matter connected with the taking of the census

census or the collection of statistics or other information, or the ascertaining or correction of any supposed defect or inaccuracy therein; and such officer, census commissioner or other person shall then have the same power as is vested in any court of justice, of summoning any person, of enforcing his attendance and of requiring and compelling him to give evidence on oath, whether orally or in writing, and to produce such documents and things, as such officer, census commissioner or other person deems requisite to the full investigation of such matter or matters. 1918, c. 43, s. 11.

Evidence of appointment, removal or instructions.

12. (a) Any letter purporting to be signed by the Minister or the Dominion Statistician, or by any other person thereunto authorized by the Governor in Council, and notifying any appointment or removal of or setting forth any instructions to any person employed in the execution of this Act;

(b) Any letter signed by any officer, census commissioner, or other person thereunto duly authorized, notifying any appointment or removal of or setting forth any instructions to any person employed under the superintendence of the signer thereof;

shall be, respectively, *prima facie* evidence of such appointment, removal or instructions, and that such letter was signed and addressed as it purports to be. 1918, c. 43, s. 12.

Presumption.

13. Any document or paper, written or printed, purporting to be a form authorized for use in the taking of census, or the collection of statistics or other information, or to set forth any instructions relative thereto, which is produced by any person employed in the execution of this Act, as being such form or as setting forth such instructions, shall be presumed to have been supplied by the proper authority to the person so producing it, and shall be *prima facie* evidence of all instructions therein set forth. 1918, c. 43, s. 13.

Remuneration.

14. The Minister shall, subject to the approval of the Governor in Council, cause to be prepared one or more tables setting forth the rates of remuneration or allowances for the several census commissioners, enumerators, agents and other persons employed in the execution of this Act, which may be a fixed sum, a rate per diem, or a scale of fees, together with allowances for expenses.

Voted by Parliament.

2. Such remuneration or allowances and all expenses incurred in carrying this Act into effect shall be paid out of such moneys as are provided by Parliament for that purpose.

3. No remuneration or allowance shall be paid to any person for any service performed in connection with this Act until the service required of such person has been faithfully and entirely performed. 1918, c. 43, s. 14.

SECRETY.

15. No individual return, and no part of an individual return, made, and no answer to any question put, for the purposes of this Act, except as hereinafter set forth, shall, without the previous consent in writing of the person or of the owner for the time being of the undertaking in relation to which the return or answer was made or given, be published, nor, except for the purposes of a prosecution under this Act, shall any person not engaged in connection with the census be permitted to see any such individual return or any such part of any individual return.

2. No report, summary of statistics or other publication under this Act, except as aforesaid, shall contain any of the particulars comprised in any individual return arranged as to enable any person to identify any particulars so published as being particulars relating to any individual person or business. 1918, c. 43, s. 15; 1919, c. 8, s. 1.

CENSUS OF POPULATION AND AGRICULTURE.

16. The census of population and agriculture of Canada shall be taken by the Bureau, under the direction of the Minister, on a date in the month of June in the year one thousand nine hundred and thirty-one, to be fixed by the Governor in Council, and every tenth year thereafter. 1918, c. 43, s. 16.

17. A census of population and agriculture of the provinces of Manitoba, Saskatchewan and Alberta shall be taken by the Bureau, under the direction of the Minister, on a date in the month of June in the year one thousand nine hundred and thirty-six, to be fixed by the Governor in Council, and every tenth year thereafter. 1918, c. 43, s. 17.

18. The Governor in Council shall divide the country in respect of which the census is to be taken into census districts, and each census district into subdistricts to correspond respectively, as nearly as may be, with the electoral divisions and subdivisions for the time being, and, in territories not so defined or so situated as to admit of adhering to boundaries already established, into special divisions and subdivisions, for the purpose of the census. 1918, c. 43, s. 18.

Details.

19. Each census of population and agriculture shall be so taken as to ascertain with the utmost possible accuracy for the various territorial divisions of Canada, or of the provinces of Manitoba, Saskatchewan and Alberta as the case may be,

- (a) their population and the classification thereof, as regards name, age, sex, conjugal condition, relation to head of household, nationality, race, education, wage-earnings, religion, profession or occupation and otherwise;
- (b) the number of houses for habitation, whether occupied or vacant, under construction or otherwise, the materials thereof and the number of rooms inhabited;
- (c) the area of occupied land and its value, and its condition thereof as improved for cultivation, in fallow, in forest, unbroken prairie, marsh or waste land, and otherwise; the tenure and acreage of farms and the value of farm buildings and implements;
- (d) the products of farms, with the values of such products and the number and value of domestic animals within the preceding census or calendar year;
- (e) the municipal, educational, charitable, penal and other institutions thereof; and
- (f) such other matters as may be prescribed by the Governor in Council. 1918, c. 43, s. 19.

CENSUS OF INDUSTRY—MINES, FISHERIES, FORESTRY,
MANUFACTURES, ETC.

Census of industry.

20. A census of the products of industry shall be taken at such intervals as may be determined by the Minister, so as to ascertain with the utmost possible accuracy

- (a) the products of all mines and quarries, fisheries, forests, manufacturing establishments, and the number and kind of buildings and other works of construction used in connection with the same;
- (b) any other trade and business which may be prescribed, with the quantity of real estate and the number and kind of buildings and plant used in connection therewith; and
- (c) any other matters that may be prescribed by the Minister. 1918, c. 43, s. 20.

Schedules of details.

21. The Dominion Statistician shall, under the direction of the Minister, prepare a form for the collection of such data as may be, in his judgment, desirable for the proper presentation of industrial statistics, and the said form shall embody inquiries as to the

- (a) name of person, partnership or corporation;
- (b) kind of goods manufactured or business done;
- (c)

- (c) capital invested;
- (d) principal stock or raw materials used, and total value thereof;
- (e) gross quantity and value of articles manufactured;
- (f) number of persons employed, distinguished as to sex, adults and children;
- (g) power used or generated;
- (h) total wages and salaries paid;
- (i) number of days on which it was carried on, and any other special matter.

2. The said schedule shall be sent by mail to the owner, Distribution and returns. operator or manager of each industrial concern with respect to which information is desired, and such owner, operator, or manager, or any other person to whom this schedule or blank form is sent shall answer the inquiries thereon and return the same to the Bureau, properly certified as to its accuracy, not later than the time prescribed thereon, provided, however, that the Minister may, in his discretion, extend the time for returning the schedules, and provided that when deemed expedient, the Minister may employ agents or other persons for the collection of these statistics. 1918, c. 43, s. 21.

STATISTICS OF TRADE AND COMMERCE.

22. The Dominion Statistician shall, under the direction of the Minister, Statistics of commerce and navigation compiled in annual report.

- (a) annually prepare a report on the statistics of commerce and navigation of Canada with foreign countries, which shall, according to the principles and in the manner defined in the regulations,
 - (i) state the kinds, quantities and values of the merchandise entered and cleared coastwise into and from the customs collection ports of Canada, Contents of annual report.
 - (ii) comprehend all goods, wares and merchandise exported from Canada to other countries,
 - (iii) comprehend all goods, wares and merchandise imported into Canada from other countries,
 - (iv) comprehend all navigation employed in the foreign trade of Canada;

(b) prepare and publish monthly reports of the exports and imports of Canada, including the quantities and values of accounts drawn from the warehouse and such other statistics relative to the trade and industry of the country as the Minister may consider expedient.

1918, c. 43, ss. 22, 23, and 24.

Returns of imports and exports from customs.

23. The Department of National Revenue shall send to the Dominion Statistician, in such manner and form and at such periods as the Governor in Council may prescribe, returns of imports from and exports to foreign countries arriving at or leaving Canada by water or by rail, and of the navigation employed in the foreign trade of Canada. 1918, c. 43, s. 22.

Domestic trade.

24. The Dominion Statistician shall prepare and make a report annually containing the results of any information collected during the preceding year upon the domestic trade of Canada. 1918, c. 43, s. 25.

TRANSPORTATION.

Annual transportation returns.

25. Every transportation company shall annually prepare returns in such form as may be prescribed by the Governor in Council with respect to its capital, traffic equipment, working expenditure, and such other information as the Governor in Council may prescribe.

Attestation.

2. Such returns shall be dated and signed by and attested upon the oath of the secretary or some other chief officer of the company, and shall also be attested upon the oath of the president, or, in his absence, of the vice-president or manager of the company.

Period included.

3. Such returns shall be made for the period beginning from the date to which the then last yearly returns made by the company extended, or if no such returns have been previously made, from the commencement of the operation of the company and ending with the last day of December in the year for which the returns are to be made or with such other date as the Minister may direct.

Date of forwarding.

4. Such returns, dated, signed and attested in manner aforesaid, shall be forwarded by such company to the Dominion Statistician within one month after the first day of February in each year or within one month after any other date directed by the Minister under the last preceding subsection. 1918, c. 43, s. 26; 1919, c. 8, s. 2.

Traffic returns monthly.

26. Every transportation company shall prepare returns of its traffic monthly, that is to say, from the first to the close of the month inclusive; such returns to be in accordance with the form prepared by the Dominion Statistician and approved by the Minister.

Copies forwarded.

2. A copy of such returns, signed by the officer of the company responsible for the correctness of the same shall be forwarded by the company to the Dominion Statistician within seven days from the day to which the said returns have been prepared. 1918, c. 43, s. 27.

27.

27. All returns made in pursuance of any of the provisions of the two sections of this Act immediately preceding this section shall be privileged communications and shall not be evidence in any court whatever, except in any prosecution for,

- (a) default in making such returns in accordance with the requirements of this Act;
- (b) perjury in making any oath required by this Act in connection with such returns;
- (c) forgery of any such return; or
- (d) signing any such return knowing the same to be false. 1918, c. 43, s. 28.

Returns
to be
privileged.

CRIMINAL STATISTICS.

28. The clerk of every court or tribunal administering criminal justice, or in case of there being no clerk, the judge or other functionary presiding over such court or tribunal, shall, before the end of October in each year, fill up and transmit to the Dominion Statistician, for the year ending the thirtieth day of September preceding, such schedules as he receives from time to time from the Dominion Statistician relating to the criminal business transacted in such court or tribunal. 1918, c. 43, s. 29.

29. The warden of every penitentiary and reformatory and the sheriff of every county and district shall, before the end of October in each year, fill up and transmit to the Dominion Statistician, for the year ending the thirtieth day of September preceding, such schedules as he receives from time to time from the Dominion Statistician relating to the prisoners committed to the penitentiary, reformatory or jail. 1918, c. 43, s. 30.

30. Every person required to transmit any such records shall from day to day make and keep entries and records of the particulars to be comprised in such schedules. 1918, c. 43, s. 31.

31. Every officer required to transmit to the Minister of Finance true copies of returns made by justices of the peace shall, before the end of October in each year, transmit to the Minister true copies of all such returns for the year ending the thirtieth day of September last preceding. 1918, c. 43, s. 32.

32. The Secretary of State shall, before the end of October in each year, cause to be filled up and transmitted to the Dominion Statistician such schedules for the year ending the thirtieth day of September last preceding, relative

tive to the cases in which the prerogative of mercy has been exercised, as the Minister may prescribe. 1918, c. 43, s. 33.

GENERAL STATISTICS.

General statistics.

33. Subject to the direction of the Minister, the Bureau shall collect, abstract and tabulate annually statistics in relation to all or any of the following matters:—

- (a) Population;
- (b) Births, deaths and marriages;
- (c) Immigration and emigration;
- (d) Agriculture;
- (e) Education;
- (f) Public and private finance;
- (g) Any other matters prescribed by the Minister or by the Governor in Council. 1918, c. 43, s. 34.

Special statistics.

34. The Governor in Council may authorize the Minister to have any special statistical investigation made that is deemed advisable, and may prescribe the manner and by what means such investigation shall be made. 1918, c. 43, s. 35.

OFFENCES AND PENALTIES.

35. Every person employed in the execution of any duty under this Act or any regulation who,

Desertion or false declaration.

- (a) after having taken the prescribed oath, shall desert from his duty, or wilfully makes any false declaration, statement or return touching any such matter; or

Unlawful information.

- (b) in the pretended performance of his duties thereunder, obtains or seeks to obtain information which he is not duly authorized to obtain; or

Improperly divulging information.

- (c) shall not keep inviolate the secrecy of the information gathered or entered on the schedules and forms, and who shall, except as allowed by this Act and the regulations, divulge the contents of any schedule or form filled up in pursuance of this Act or any regulation, or any information furnished in pursuance of this Act or any regulation;

Penalty.

shall be guilty of an offence and shall be liable, on summary conviction, to a penalty not exceeding three hundred dollars and not less than fifty dollars, or to imprisonment for a period not exceeding six months and not less than one month, or to both fine and imprisonment. 1918, c. 43, s. 36.

Refusal to answer or false answer.

36. Every person who, without lawful excuse,

- (a) refuses or neglects to answer, or wilfully answers falsely, any question requisite for obtaining any information sought in respect of the objects of this Act

or any regulation, or pertinent thereto, which has been asked of him by any person employed in the execution of any duty under this Act or any regulation; or

(b) refuses or neglects to furnish any information or to fill up to the best of his knowledge and belief any schedule or form which he has been required to fill up, and to return the same when and as required of him under this Act or any regulation, or wilfully gives false information or practises any other deception thereunder;

shall, for every such refusal or neglect, or false answer or ^{Penalty.} deception, be guilty of an offence and liable, upon summary conviction, to a penalty not exceeding one hundred dollars and not less than twenty dollars, or to imprisonment for a period not exceeding three months and not less than thirty days, or to both fine and imprisonment. 1918, c. 43, s. 37.

37. Every person who has the custody or charge of any ^{Wilful} provincial, municipal or other public records or documents, ^{refusal or neglect to grant access to records.} or of any records or documents of any corporation, from which information sought in respect of the objects of this Act or any regulation can be obtained, or which would aid in the completion or correction thereof, who wilfully or without lawful excuse refuses or neglects to grant access thereto to any census officer, commissioner, enumerator, agent or other person deputed for that purpose by the Dominion Statistician, and every person who wilfully hinders or seeks to prevent or obstruct such access, or otherwise in any way wilfully obstructs or seeks to obstruct any person employed in the execution of any duty under this Act or any regulation, is guilty of an offence and shall ^{Penalty.} be liable, upon summary conviction, to a penalty not exceeding three hundred dollars and not less than fifty dollars, or to imprisonment for a period not exceeding six months and not less than one month, or to both fine and imprisonment. 1918, c. 43, s. 38.

38. The leaving by an enumerator, agent or other person employed in the execution of this Act or any regulation, at any house or part of a house, of any schedule or form purporting to be issued under this Act or any regulation, and having thereon a notice requiring that it be filled up and signed within a stated time by the occupant of such house or part of a house, or in his absence by some other member of the family, shall, as against the occupant, be a sufficient requirement so to fill up and sign the schedule or form, though the occupant is not named in the notice, or personally served therewith. 1918, c. 43, s. 39.

Leaving
notice at
office.

39. The leaving by an enumerator or agent or other person employed in the execution of this Act or any regulation, at the office or other place of business of any person or firm or of any body corporate or politic, or the delivery by registered letter to any person, firm or body corporate or politic or his or its agent, of any such schedule or form having thereon a notice requiring that it be filled up and signed within a stated time, shall, as against the person or the firm and the members thereof and each of them or the body corporate or politic, be a sufficient requirement to fill up and sign the schedule or form, and if so required in the notice, to mail the schedule or form within a stated time to the Bureau. 1918, c. 43, s. 40.

Application
of fines.

40. Any fine imposed and recovered for any offence under this Act shall belong to His Majesty for the public uses of Canada, but the Minister may authorize the payment of one-half of any such fine to the prosecutor. 1918, c. 43, s. 41.

OTTAWA: Printed by FREDERICK ALBERT ACLAND, Law Printer to the
King's Most Excellent Majesty.

Orders in Council covering Agreements between the
Government of Canada and the Provincial Governments
with regard to Vital Records and Statistics



PRIVY COUNCIL

CANADA

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 22nd APRIL, 1919.

PRESENT

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL

WHEREAS The Acting Minister of Trade and Commerce reports that for the purpose of devising means to prevent duplication of work, and to insure uniformity of methods of collecting, compiling and publishing the statistics of marriages, births and deaths, as between the Dominion Bureau of Statistics and the Vital Statistical branches of the Provincial governments, two conferences one in June, 1918, and the other in December, 1918, were held between officers of the branches named, at which it was agreed as follows:

- (1) That the Model Vital Statistics Act prepared by the Dominion Bureau of Statistics, as ratified at the conferences aforesaid, should form the basis of the Vital Statistical Legislation of the several provinces.
- (2) That the provinces should undertake to obtain the returns of marriages, births and deaths on the Prescribed Forms, as approved and adopted at the December Conference, the Dominion Bureau of Statistics to supply the Forms free of charge.
- (3) That the Provinces should forward to the Dominion Bureau of Statistics at such times as might be agreed upon either the original returns of births, marriages and deaths or certified transcripts of the same; the Dominion Bureau to undertake the mechanical compilation and tabulation of the same.

THEREFORE, His Excellency the Governor General in Council, in order to provide a mutually satisfactory basis of cooperation between the Minister and the Registrars General of the several provinces, as above outlined, is pleased to approve and doth hereby approve of the following Regulations:

REGULATIONS

1. The Dominion Bureau of Statistics may receive transcripts or certified copies of the original returns of marriages, births and deaths made by the clergymen, physicians, undertakers or other persons upon whom it is incumbent to make such returns.
2. These copies are to be forwarded by the provincial department charged with the execution of the Vital Statistics Act in each province to the Dominion Bureau of Statistics quarterly or monthly on dates to be agreed upon.
3. The Minister may for each properly filled in transcript or copy of original return of each birth, marriage or death, pay to the Registrar-General such remuneration as may be mutually agreed upon. He may also print and supply free of charge, the prescribed Forms upon which the returns shall be made to the registrars by clergymen, physicians, undertakers, etc.
4. Nothing in the preceding sections shall preclude an arrangement between the Bureau of Statistics and any provincial department whereby the original returns may be forwarded to the Bureau for transcript, compilation and return in order to avoid duplication of work and office expense.
5. The Bureau of Statistics shall compile, tabulate and publish the vital statistical data for the Dominion as a whole, and may furnish monthly or quarterly compilations, according to a stated plan, to each province of the data appertaining thereto.
6. The Bureau of Statistics shall also co-ordinate the statistics of immigration and emigration with vital statistics, and shall undertake, when taking the census of population, to secure the data required for vital statistical purposes and to compile the same.
7. The Minister may, from time to time, out of the Vote for the Bureau of Statistics, devote a sum not exceeding \$2,000 to pay the expenses of one representative from each province to attend at Ottawa, a conference of vital statisticians. Such conference shall be for the purpose of bringing about a closer official and personal association of the registration officials of the several provinces and of increasing cooperation between government bureaus, and other organizations interested in the improvement and use of vital statistics and of promoting the introduction of effective systems of registering vital statistics for public health and legal purposes, including the revision from time to time of the classification of causes of death; aiding in the maintenance of uniform methods of collecting, preserving, correcting and compiling registration records and of publishing the statistical data derived therefrom; and in general of promoting a proper appreciation of the necessity and importance of vital statistics.

8. The Minister may, after each decennial revision of the International Classification of Diseases and Causes of Death, have prepared a "Manual of the International List of the Causes of Death", to contain (1) the terms of the French list or as many of them as may be properly used in English, (2) the terms founded upon medical certificates of causes of death as reported by Canadian physicians.
9. The Minister may also prepare and supply free of charge to Provincial Registrars for distribution to all duly qualified physicians in the Dominion, a Physician's Pocket Reference to the International List of Causes of Death.
10. The provisions of the foregoing Regulations shall apply only to such provinces as shall adopt the "Model Act", as the basis of their legislation on vital statistics or have enacted legislation which conforms to the salient features of the "Model Act", and provided that the Forms supplied by the Dominion Bureau of Statistics shall be used in obtaining the original returns, and provided further that each province shall furnish satisfactory evidence that it received returns of at least 90 per cent of all marriages, births and deaths occurring in each calendar year.

The Minister hereinabove referred to, shall be the Minister of Trade and Commerce.

"A. D. P. Heeney"

Clerk of the Privy Council.

PRIVY COUNCIL

CANADA

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 31st day of JULY, 1945.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Trade and Commerce reports that for the purpose of coordinating and improving the efficiency of the national system of Vital Records and Vital Statistics in relation to prospective social security measures and for other purposes, a conference between officers of the Dominion Bureau of Statistics and the Dominion Treasury, the Dominion Council of Health and representatives of the Provincial Vital Statistics offices, was held in Ottawa on September 28th, 1944, at which time an agreement was reached in principle along the lines set forth below:

- (a) In order to facilitate cooperation between Dominion and Provincial Governments with respect to the use of vital records and statistics and to ensure the creation and maintenance of a system that is adequate to meet increasing demands both for Dominion and Provincial purposes, there shall be established a Vital Statistics Council for Canada under the terms set forth in Appendix "A" hereto.
- (b) In order to modernize the system of Vital Records and Statistics of the Dominion and the Provinces and in order to provide information now necessary for various Dominion and Provincial purposes, the procedure specified in Regulation 1, P.C. 693, dated 22nd day of April, 1919, which provided that -

"the Dominion Bureau of Statistics may receive transcripts or certified copies of the original returns of marriages, births and deaths made by the clergymen, physicians, undertakers and other persons upon whom it is incumbent to make such returns"

be changed and the procedure hereinafter set out substituted therefor.

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce, is pleased to approve the following regulations and they are hereby approved in substitution for the procedure specified in the aforesaid Regulation 1:

REGULATIONS

RECORDS AS FROM JULY 1ST, 1945

1. As and from the first day of July, 1945, in place of the present transcripts, the provinces will supply, each month or oftener if possible, to the Dominion Bureau of Statistics, photographic copies of all registrations of births, stillbirths, marriages and deaths occurring in the preceding month or since the copies were previously supplied. These copies will be in positive microfile form, subject to the alternative mentioned in Regulation 17.
2. The microfilm copies shall be used by the Dominion Bureau of Statistics to create a National Register of Vital Records and continue to be used by the Dominion Bureau of Statistics for the purposes of statistical analysis under the terms of the agreement between the Dominion and the Provinces as set forth in P.C. 693.
3. In order to assist the Provinces in carrying out the responsibilities which they agree to assume under Regulation 1, the Dominion Bureau of Statistics will purchase outright and turn over to each Province, free of charge, one Recordak Model "C1" Microfilm Camera and one translucent screen Film Reader, Model "C".
4. The Provinces will be given outright ownership of the camera equipment aforesaid, but should a Province require additional readers or enlargement equipment for its own purposes, such equipment shall be purchased at the expense of that Province.
5. The Dominion Bureau of Statistics will pay to each province for each microfilm image of a registration of birth, stillbirth, marriage or death subsequent to July 1, 1945, the sum of ten cents, it being understood that if the sum of ten cents exceeds the actual cost of preparing the microfilm images, the excess shall be applied to improving the vital statistics records of the provinces.
6. The Provinces will guarantee priority in the use of the camera equipment for the filming of the vital records each month or at other periods as may be agreed upon from time to time, and each province will be permitted to use the camera and reader for its own purposes during idle time.
7. The Provinces will purchase at their own expense the necessary microfilm each month for photographing the registrations after July 1st, 1945.
8. The Dominion Bureau of Statistics will provide the initial technical instruction in the use of the microfilm cameras.

RECORDS PRIOR TO JULY 1ST, 1945

9. The Provinces agree that, in respect of any vital records filed in a Province prior to July 1st, 1945 which may be required in the creation of the National Register of Vital Records, such records shall be microfilmed at the expense of the Dominion for the purposes of the National Register, using the equipment mentioned in Regulation 3.

10. In order to provide a basis for the introduction of the National Register of Vital Records, all births registered within the provinces from January 1, 1925, to June 30, 1945, shall be photographed forthwith and the negative films or duplicate positives forwarded immediately to the Dominion Bureau of Statistics.

11. The Dominion Bureau of Statistics shall prepare Hollerith cards from the negative films of the birth registrations from January 1st, 1925, to June 30th, 1945, and from such cards shall prepare lists by year of birth in alphabetical order.

12. The said lists of the births for each province shall be sent, in the first instance, to a representative of the Dominion Government in that province to be designated by the Dominion Bureau of Statistics.

13. Such designated officer of the Dominion Government may use the lists of births to verify such births and he shall indicate on the said lists those births that have been verified for a particular purpose.

14. Such officer, after using such lists of births prior to July 1st, 1945, shall turn the lists over to the Vital Statistics office of the province.

GENERAL PROVISIONS

15. The National Register shall be used by the respective governments for the purposes of verification and statistics only. Any further use shall be approved by each province in respect to its part of the records in the National Register after recommendation by the National Council of Vital Statistics for Canada.

16. The microfilm copies and any indices compiled therefrom shall be subject to the same restrictions as are imposed by the Secrecy Clauses of the "Statistics Act" of the Dominion, except in such cases as may be determined by the said Council from time to time, and upon authorization from a Provincial Government in respect to its own records.

17. As an alternative to the provinces supplying to the Dominion Bureau of Statistics the positive microfilm copies referred to in Regulation 1, the provinces may supply the negative films. In either case the Government of the Dominion of Canada will guarantee that they will be kept under fire-proof conditions, and that should the provincial records be destroyed or damaged at any time they will be replaced by the Dominion Bureau of Statistics at the expense of the Dominion.
18. The Dominion Bureau of Statistics shall be the sole custodian of the microfilm copies furnished to the Dominion and the National Register of Vital Records created under the terms of the said agreement, except as herein provided in Regulations 12 to 14, in connection with the births registered in the Province from January 1st, 1925, to June 30th, 1945, or as may be determined from time to time by the Vital Statistics Council.
19. In the event that any one of the provinces or the Dominion is dissatisfied with the foregoing provisions of the agreement, at least one year's notice in writing to the other party shall be given before such agreement can be terminated.

"A. D. P. Heeney"

Clerk of the Privy Council.

APPENDIX "A"

CONSTITUTION OF VITAL STATISTICS COUNCIL FOR CANADA

For the purpose of carrying out and giving effect to the provisions of the "Statistics Act" of the Dominion, in connection with securing uniform methods of collecting, compiling and publishing the Vital Statistics of Canada and the provinces, and other matters related thereto, under an agreement with the Provinces and the Dominion, agreed to at a conference between officers of the Dominion Bureau of Statistics and the Dominion Treasury, the Dominion Council of Health and representatives of the Provincial Vital Statistics offices, held in Ottawa on September 28th, 1944, the Minister of Trade and Commerce, pursuant to Section 9 of the said Act, does hereby constitute a Vital Statistics Council for Canada under the following terms:

1. The Council shall comprise one representative for each province (the officer actively in charge of the Provincial Vital Statistics office), one representative for Yukon and the Northwest Territories (to be designated by the Minister of Mines and Resources) and the Chiefs of the Vital Statistics and the Census Branches in the Dominion Bureau of Statistics.

2. The Chairman of the Council shall be the Dominion Statistician and the Vice-Chairman shall be elected annually from the representatives of the Provinces, and Yukon and the Northwest Territories.

3. The Secretary shall be a member of the Council and shall be appointed for a term to be determined by the Council.

4. The Vital Statistics Council shall meet at least once a year for the purpose of discussing and advising on problems arising out of the administration of the Vital Records system and relative statistics.

5. The expenses of the Vital Statistics Council shall be borne jointly by the Dominion and the Provinces on the following basis:

(a) By the Dominion, transportation expenses of all Council members to and from the place of meeting and other expenses incidental to the meeting; and

(b) By the Provinces, the living expenses of the respective Provincial Council members while at the place of meeting.

RULES AND REGULATIONS OF THE VITAL STATISTICS COUNCIL FOR CANADA

1. This organization shall be known as the Vital Statistics Council for Canada.

2. The Council shall meet at least once during each calendar year, and all meetings shall be at the call of the Chairman, provided that upon request of a majority of the members of the Council the Chairman shall call a special meeting of the Council. Between Council meetings the Secretary shall submit to the members of the Council in writing any matters requiring consideration and approval. Such matters shall be decided upon by majority opinion.

3. A quorum shall consist of eight members of the Council.

4. Each member of the Council, including the officers, shall have the privilege of voting.

5. In the event that any provincial or Dominion member of the Council is unable to attend any meeting for any reason, he may designate a substitute by notifying the Chairman in writing and such substitute shall have full voting powers.

6. The Secretary shall be elected annually from the membership of the Council, provided that should the Secretary cease to be a member of the Council, for any reason, the Chairman shall appoint a person to act as Secretary until the next meeting of the Council.

7. The rules and regulations of the Council may be amended upon notice of motion given at a previous meeting of the Council and shall become effective by a two-thirds vote of Council.

APPROVED by Council this first day of June, A.D. 1945.

SUGGESTED AMENDMENT TO THE RULES AND REGULATIONS OF COUNCIL

It was suggested by the committee that the meetings of the Council might be held not only in the Dominion capital, but in provincial capitals, as might be determined from time to time. Decision was reserved for discussion at the next general meeting.

INTERPRETATION OF SECTION 5 OF ORDER IN COUNCIL 4851

The question of payment for corrected microfilm images was raised by Mr. J. D. B. Scott, Director of Vital Statistics, British Columbia, in September, 1945. Consequently, the following ruling or interpretation of Section 5 of P.C. 4851 was transmitted to the provinces and has been in effect with regard to the payment of the ten cent rate since the initiation of the microfilm system on July 1st, 1945:

"Section 5 of the agreement is meant to be interpreted to the effect that the Bureau will pay for each microfilm image of an original registration. After discussion of this point we feel that the interpretation of this section should be extended to include registrations covering images involving legal registration procedures such as legitimations, changes of name (both Christian and surnames) and adoptions. Since any other corrections should presumably be detected and corrected when edited in the provincial offices, the payment for these corrections would constitute a bonus for careless work and would appear to be economically unsound. In any event the amount of work entailed in splicing film covering statistical corrections would act as a deterrent and tend toward more careful editing of the registrations before microfilming, which should reduce this type of correction to a minimum.

"This brings up the question of payment for delayed registrations. The general procedure in all provinces up until the 1st of July was that, in addition to registrations in the current year, we paid for transcripts covering events occurring in the previous calendar year. However, in view of the fact that all delayed records will be required for the National Index, we feel that images of all delayed registrations should be paid for at the full rate of 10 cents per image."

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MODEL VITAL STATISTICS ACT

CANADA

as approved at the

Dominion Provincial Conference

Ottawa June 18th-20th, 1918

MODEL OF VITAL STATISTICS ACT FOR UNIFORM LEGISLATION IN THE PROVINCES OF CANADA.

AN ACT RESPECTING VITAL STATISTICS.

Office and Duties of Registrar-General.

Annual Report of Registrar-General. 1. The Registrar-General shall annually collate, publish and distribute for the use of the Legislature a full report of the births, marriages and deaths of the preceding year, giving such details, statistics and information as the Lieutenant-Governor in Council may deem necessary.

Regulations. 2. The Lieutenant-Governor in Council may make such regulations as he may deem necessary for the purpose of obtaining information required by this Act.

Searching records with Registrar-General. 3. Any person shall be entitled at all reasonable hours on payment of the prescribed fee and on signing an application in the prescribed form, to have search made of the record of a birth, marriage or death kept in the Office of the Registrar-General.

Certificate of Registrar-General. (2) The Registrar-General shall, when requested, give a certificate of the details of any birth, marriage or death of which there is a record in his office on payment of the prescribed fee.

Effect as evidence. (3) The certificate shall be *prima facie* evidence in any court, or in any proceeding before a Justice of the Peace of the facts certified to be recorded.

(4) The fees to be paid for searches and certificates shall be prescribed by the Lieutenant-Governor in Council.

NOTE.—Introductory interpretation clauses to be inserted according to the circumstances of the particular province.

Registrar-General to prepare schedules and forms. 4. The Registrar-General shall cause such schedules and forms to be used as may be approved by the Lieutenant-Governor in Council, in order to obtain correct statistical information, and the same shall be prepared according to the schedules appended to this Act. He shall distribute them to the Division Registrars.

Instructions. 5. The Registrar-General shall prepare and issue such detailed instructions as may be required to procure the uniform observance of the provisions of this Act and the maintenance of a perfect system of registration; and no blanks shall be used other than those supplied by the Registrar-General. He shall carefully examine the certificates received monthly from the local registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be supplied as may be necessary to make the record complete and satisfactory.

(2) All clergymen, physicians, nurses, informants or undertakers, or other persons having knowledge of the facts, are hereby required to supply, upon a form provided by the Registrar-General or upon the original certificate, such information as they may possess regarding any marriage, birth or death upon demand of the Registrar-General, in person, by mail, or through the local registrar; provided that no certificate of birth, or death, after its acceptance for registration by the local registrar, and no other record made in pursuance of this Act, shall be altered or changed in any respect otherwise than by amendments properly dated, signed and witnessed.

(3) The Registrar-General shall further arrange, bind and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous card index of marriages, births and deaths.

Preservation of certificates. (4) He shall inform all Division Registrars what diseases are to be considered infectious, contagious or communicable and dangerous to the public health, as decided by the provincial Board of Health, in order that when deaths occur from such diseases, proper precautions may be taken to prevent their spread.

(6) If any cemetery, company or association, or any church or historical society or association, or any other company, society, or association, or any individual is in possession of any record of marriages, births or deaths which may be of value in establishing the

Infectious diseases.

Records in possession of Associations.

genealogy of any resident of this province, such company, society, association or individual, may file without expense to them such record or a duly authenticated transcript thereof with the Registrar-General, and it shall be the duty of the Registrar-General to preserve such record or transcript and to make a record and index thereof in such form as to facilitate the finding of any information contained therein. Such record and index shall be open to inspection by the public, subject to such reasonable conditions as the Registrar-General may prescribe.

6. The Registrar-General shall keep a true and correct account of all fees by him received under these provisions and turn the same to account for fees over to Provincial treasurer.

7. The Registrar-General is hereby charged with the thorough and efficient execution of the provisions of this Act in every part of the province and is hereby granted supervisory power over inspectors, division registrars, deputy division registrars and subregistrars, to the end that all its requirements shall be uniformly complied with. The Registrar-General, either personally or by an accredited representative, shall have authority to investigate cases of irregularity or violation of law, and all registrars shall aid him, upon request, in such investigations. When he deems it necessary, he shall institute proceedings in cases of violation of any of the provisions of this Act.

8. The Lieutenant-Governor in Council may appoint an Inspector of Vital Statistics whose duty it shall be to inspect the registration offices and examine the schedules prepared under this Act and to see that the entries and registrations are made and completed in a proper manner and in legible handwriting.

Registration Division.

9. All territory within the province shall be a part of some Registration Division.

10. Every municipality shall be a Registration Division.

Municipalities
to be Registration
Divisions.

11. Territory not within a municipality may be attached to an existing Registration Division, or set apart as a Registration Division, by the Lieutenant-Governor in Council.

12. Where a Registration Division is formed of territory not within a municipality the Lieutenant-Governor in Council may appoint a Registrar for it and may make such regulations as he may deem necessary to secure a correct record of the births, marriages and deaths occurring therein.

Office and Duties of Division Registrars.

13. The Clerk or Secretary-Treasurer of every municipality, or such person as may be approved by the Lieutenant-Governor in Council, shall be the division registrar of the same.

(2) The Registrar-General shall supply to every division registrar schedules for the prescribed form upon which the division registrar shall enter the details of every birth, marriage and death registered in his office, and it shall be the duty of such division registrar to apply to the Registrar-General for the issue of such forms whenever he may require them. In case of the resignation or dismissal of such division registrar, or the termination of his appointment by the effluxion of time or otherwise, he shall hand over all such forms and other matter pertaining to his duties under this Act, in his possession to his successor in office.

(3) The division registrar shall make every schedule in duplicate, and on or before the fifteenth days of January, April, July and October in every year, he shall transmit to the Registrar-General one duplicate of each schedule down to and including the last day of the month next preceding, and the other duplicate schedule shall be kept by the division registrar on file in his office. He shall, on or before the seventh day in each month, transmit to the Registrar-General the original returns of every birth, marriage or death made by the person registering during the month next preceding and, if no births,

Duplicate schedules to be preserved.	marriages or deaths occurred in any month, he shall on the seventh day of the following month report the fact to the Registrar-General on the prescribed form.
Custody of schedules and forms.	(4) The duplicate schedule shall be bound up or otherwise arranged from time to time by the division registrar in such manner as may be prescribed.
Duty of Division Registrar on default being made in registration.	(5) It shall be the duty of the division registrar to keep the schedules, forms and documents received by him in a place of safety, and he shall use all available means to obtain the necessary information for the purpose of completing the records required to be made by him.
Expenses paid by municipality.	(6) If the division registrar has reason to believe that a birth, marriage or death has taken place within his division which has not been registered, he shall inform the proper person of his duty to register the same, and, on failure of such person to make the registration, the division registrar shall forthwith supply the Registrar-General with such information as he possesses in regard to the matter.
Certificate of registration.	(7) The expense incurred by the division registrar for postage, stationery and all other matters under this Act shall be paid to him by the municipality of which he is the division registrar.
Division Registrar entitled to fee.	14. A division registrar, upon application therefor and on payment of the prescribed fee, shall make any search and shall give a certificate in the prescribed form, as to any one registration not included in any monthly return made, but shall not make any search or give any certificate other than such as is authorized by this section or in any other than the prescribed form.
Correcting errors in registration.	(2) The division registrar shall be entitled to the fees for such searches and certificates for his own use.
Correction by Registrar-General after return.	15. If at any time after the registration of a marriage, birth or death any of the particulars thereof are found to be omitted or incorrect, then, upon the error being reported to the proper division registrar, it shall be his duty to inquire into the same, and, if satisfied that the entry is incorrect to correct the error according to the fact, entering the correction in the margin of the record, without alteration of the original entry, and shall note thereon the fact that the correction has been made and the date thereof.
Division Registrar to supply blank forms.	(2) If the schedule containing a copy of the original entry has been returned to the Registrar-General, the Registrar-General shall on evidence satisfactory to him correct the error in the margin of the schedule as well as in the indexed record thereof, without altering the original entry, and shall note on them the fact that the correction has been made and the date thereof.
Examine certificates.	16. Each division registrar shall supply free of charge blank forms of certificates to such persons as require them. Each division registrar shall carefully examine each certificate of marriage, birth or death when presented for a record in order to ascertain whether or not it has been made out in accordance with the provisions of this Act and the instructions of the Registrar-General; and if any certificate of death is incomplete or unsatisfactory it shall be his duty to call attention to the defects in the return, and to withhold the burial or removal permit until such defects are corrected. All certificates, either of marriage, birth or death, shall be written legibly, in durable black ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for therein, or satisfactorily account for their omission. If the certificate is properly executed and complete, he shall then issue a burial or removal permit to the undertaker; provided that in case the death occurred from some disease which is held by the Provincial Board of Health to be infectious, contagious or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be issued by the Registrar except under such conditions as may be prescribed by the Provincial Board of Health. If a certificate of birth or marriage is incomplete, the local registrar shall immediately notify the informant and require him to supply the missing items of information if they can be obtained. He shall number consecutively the certificates of births, marriages and deaths, in three separate series, beginning with number 1 for the first birth, the first marriage and the first death in each calendar year, and sign his name, as registrar in attest of the date of filing in his office.
Issue permits Proviso.	

17. Each Division Registrar is hereby charged with the strict and thorough enforcement of the provisions of this Act in his registration of the Act, district, under supervision and direction of the Registrar-General. And he shall make an immediate report to the Registrar-General of any violation of this law coming to his knowledge, by observation or upon complaint of any person, or otherwise.

Duties of Assessors.

18. It shall be the duty of the assessor or assessors of each city, town, village or municipality, notwithstanding anything which may be contained in any charter of such city, town, village or municipality, when making the assessment, to inquire of each resident taxable party, whether there have been any births or deaths in the family since the last assessment, and whether the same have been registered or not; if any have not been registered the assessor shall put the number in the column in the assessment roll, headed "Birth" or "Death" as the case may be; and, if they have been registered, he shall put the letter "R" in the column headed "Registered" and as soon as the assessment roll has been completed he shall transmit to the division registrar the number of such births and deaths not registered, giving the names and addresses of the parents of children whose births are not registered and the names and addresses of persons whose deaths have not been registered.

(2) On the assessment notices to be sent by assessors to each person assessed, and also on the tax notices to be mailed by municipal treasurers or collectors, under the provisions of "The Assessment Act", there shall be printed a brief summary of the principal provisions herein as regards the duty of the general public in reference to the registration of births, marriages and deaths, in such form as shall be from time to time prepared by the Registrar General and forwarded to the division registrars who shall forthwith furnish certified copies thereof to the assessors, treasurers and collectors of their respective municipalities. It shall be the duty of the assessors, treasurers and collectors to see that the provisions of this section are carried out.

Church Notices.

19. Every clergyman, minister or other person authorized to baptize or perform the ceremony of marriage or conduct funeral services shall keep registers in such form as may from time to time be determined by the Registrar-General, showing the persons whom he baptizes or marries or who die within his cure or congregation, or over whose bodies he may have conducted funeral services.

(2) The registers mentioned in this section shall be supplied by the Department, and shall be the property of the Government but property of the Minister, clergyman or other person performing the ceremony belongs at the time of the first baptism or marriage entry or death which he records therein, and shall thereafter be kept as records in such church, or in case of the abandonment of the church, they shall be filed in the Department and such registers shall be open to inspection at any reasonable hour to registrars.

Registration of Marriages.

20. Every clergyman, minister, or other person authorized by the law of the province to solemnize marriages shall, at the time of each marriage, make two written records thereof in the form prescribed, and every such record shall be signed by each of the parties to the marriage, and by the minister, clergyman, or other person authorized as aforesaid officiating, and by at least two credible witnesses.

(2) Every clergyman, minister, or other person authorized as aforesaid shall within forty-eight hours from and after the solemnization by him of a marriage, deliver or forward by registered letter to the Registrar-General one of the complete records according to the form prescribed by this Act, and prepared in accordance with the previous section.

21. The notice of marriage shall be in the prescribed form.

Issue of marriage license to be reported. 22. Every person authorized to issue marriage licenses shall, within forty-eight hours from and after the issuance of each marriage license, deliver or forward to the Registrar-General full and complete particulars thereof in the prescribed form.

Penalty. (2) Failure to comply with the provision of this Section shall be deemed an offence against this Act, and the offender shall, on summary conviction thereof, be liable to a penalty of dollars, and, in default of immediate payment, to imprisonment for

Time limit for registration of marriages. 23. Where the registration of a marriage has not been made as provided in Section 20 of this Act, the Registrar-General may register the same at any time within twelve months after the performance of the marriage ceremony, provided the information is furnished in accordance with the provisions of this Act, the registration to be made in the schedules of the current half-year.

Registration after be expiration of twelve months. (2) After the expiration of twelve months from the performance of the marriage ceremony the registration shall only be made by the Registrar-General, provided the information is furnished in accordance with the provisions of this Act, in which case the entry of registration shall be made in the proper register, the date of registration being entered in the proper column of the register.

Regulations for registration after twelve months. 24. The Lieutenant-Governor in Council may make regulations for registrations of marriages which have not been registered under the foregoing provisions of this Act.

Registration of Births.

Duty of medical practitioner. 25. Every legally qualified medical practitioner who attends at the birth of a child shall give notice thereof within twenty-four hours in the prescribed form to the Division Registrar of the Division in which the child was born.

26. If there is no physician or nurse in attendance, it shall be the duty of the father or the mother of the child, or the occupier of the house in which the child was born, to notify the Division Registrar of such birth as required.

27. When a child is born registration thereof in the prescribed form shall be made with the Division Registrar of the Division in which the child was born, by

(a) the father, if living, or

(b) in case of inability on the part of the father, or if he is dead, by the mother if living, or

(c) in case of the inability of both parents, or if neither be living, by the person standing in the place of the parents to the child, or

(d) if there is no father or mother or other person whose duty it is to give the notice, by the occupier of the house in which the child was born if he has knowledge of the birth, and by the nurse present at the birth.

Persons required to give notice of birth. 28. The registration shall be made within thirty days after the date of the birth.

Contents of notice of birth. 29. The notice and registration of birth shall be in the prescribed form.

Registration of new-born child found exposed. 30. If a living new-born child is found exposed it shall be the duty of any person in whose charge such child may be placed, to give to the best of his knowledge and belief, to the Division Registrar of the Division in which the child is found within seven days after the placing of such child, such information of the particulars required to be registered concerning its birth as the informant possesses.

Registering illegitimate births. 31. A person shall not be named in the register as the father of an illegitimate child unless he and the mother request in writing that the name be so entered, and the Division Registrar shall write the word "Illegitimate" in the column for the name of the child immediately under the child's name.

Child born at sea. 32. If any child of a parent or resident of the province shall be born at sea, and an entry of birth made in the vessel's log book, any District Registrar may on sufficient proof of the correctness of such entry cause the same to be registered in the book kept for that purpose.

33. When the birth of any child has been registered and the name, ~~altering or inserting~~ if any, by which it was registered has been changed, the parent or ~~the~~ guardian of the child, or the person procuring the name to be changed, may deliver to the District Registrar a certificate signed by the ~~Minister~~ ^{registration of} Minister, clergyman or other person who performed the rite of baptism upon which the name was changed, or, if the child is not baptized, signed by the father, mother or guardian of the child, or other person procuring the name of the child to be changed. And the Registrar-General shall, upon the receipt of such certificate, forward it to the Registrar who shall make the necessary alteration in the margin of the schedule containing the original entry without making any alteration in the entry, and shall also make the same in the index regarding such child.

34. The Registrar-General shall attest by his official signature the ~~registered number~~ registered number of the birth and the exact date of the filing of such notice in his office.

35. The Lieutenant-Governor in Council may make regulations for the registration of births which have not been registered under ~~the~~ ^{birth after} the foregoing provisions of this Act. ^{appointed time.}

36. Stillborn children, or those dead at birth, shall be registered as births and also as deaths, and notices of both the birth and death shall be filed with the Division Registrar in the prescribed form. The notice of birth shall contain, in place of the name of the child, the word "stillbirth". The medical certificate of cause of death shall be signed by the attending physician if any, and shall be in the prescribed form. Nurses shall not sign certificates of death for stillborn children but such cases and stillbirths occurring without attendance of either physician or nurses shall be treated as deaths without medical attendance as provided for in section 47 of this Act. (*Committee to define "still births."*)

37. If the birth of a child be not registered in the manner and ~~within~~ ^{Person incumbent} within the period aforesaid, the person upon whom it is by virtue of ~~to~~ ^{the} registration of the preceding provisions of this Act incumbent to register such births, ~~shall~~ ^{liable.} shall remain liable to effect such registration notwithstanding the expiration of the period aforesaid, and shall in respect of every further period of thirty days after the expiration of the period aforesaid, for which he shall refuse or neglect to register such birth, be guilty, of a separate offence against this Act.

Registration of Deaths.

38. The body of any person whose death occurs in the province ~~permits~~ ^{Burial} shall not be interred, deposited in a vault or tomb, cremated or otherwise disposed of, or removed from or into any registration district, until a permit of burial, removal or other disposition shall have been properly issued by the division registrar of the division in which death occurs, and no such burial or removal permit shall be issued by any Division Registrar until a complete and satisfactory notice of death has been filed with him in the prescribed form.

(2) Provided that when a body is transported by a common carrier into a registration division in the province for burial, then the transit and removal permit issued in accordance with the law and health regulations of the place where the death occurred when said death occurs outside the province, shall be accepted by the division registrar of the division into which the body has been transported for burial or other disposition, as a basis upon which he shall issue a local burial permit, in the same way as if the death occurred in his district, but he shall plainly enter upon the face of the burial permit that it was a body shipped in for interment, and give the actual place of death; but a burial permit shall not be required from a division registrar of the division in which interment is made when a body is removed from one division to another in the province, for purpose of burial or other disposition, either by common carrier, hearse, or other conveyance; and no division registrar shall, as such, require from undertakers or persons acting as undertakers any fee for the privilege of burying dead bodies.

39. Every duly qualified medical practitioner who was last in ~~Physician's~~ notice attendance during the last illness of any person shall forthwith ^{onto} ~~to~~ Division having knowledge of the death of such person deliver or transmit to ~~Registrar~~ Registrar.

the Division Registrar of the Division in which the death took place the notice of death in the prescribed form.

Deaths in camp or mine.

40. When a death occurs in any camp or mine, before interment or cremation or other disposition of the body or its removal from the camp or mine, the owner, manager or other person in charge shall forthwith report such death to the Division Registrar in the prescribed form together with such additional information as may from time to time be required by the Registrar-General.

Burial permit must be issued.

41. A Division Registrar shall immediately upon registering any death, deliver without charge to any person requiring the same a burial permit in the prescribed form that the death had been duly registered.

Exceptional cases.

is provided that a clergyman, minister or other person who is called upon to perform any funeral or religious service for the burial of any dead body, under circumstances rendering it impracticable (by reason of the distance from the post office address of the nearest division registrar of the place where the burial takes place, or otherwise) to obtain the required permit of burial or removal of the body, may perform such ceremony without obtaining such permit, but in that event, such clergyman, minister or other person, shall accept the certificate of death in the prescribed form, issue a burial permit and forthwith make a return of such certificate in the prescribed form to the Division Registrar of the division in which the death took place.

43. Where upon proper representation to the Registrar-General he is of the opinion that in any section of the province the registration of deaths for purposes of burial would be facilitated he may appoint a Sub-Registrar for the special purpose of issuing certificates of registration of deaths upon payment by the applicants.

(2) The Sub-Registrar shall register the death upon the special form of schedule provided, and shall forthwith transmit the original form to the Division Registrar of the municipality in which the death occurred for registration by him, and the Sub-Registrar shall make quarterly returns to the Registrar-General.

44. Where a death has occurred in a township or territory without municipal organization or where it is impracticable to register by reason of distance, the return may be made to the nearest Division Registrar, or Sub-Registrar who, upon payment of a fee of twenty-five cents by the applicant, shall register the same on the prescribed form and issue a certificate of registration which certificate shall be sufficient, and such Registrar shall forward the return to the Division Registrar of the Division in which the death occurred.

45. The official certificate of death shall be in the prescribed form.

Particulars to be furnished to Registrars.

46. The personal and statistical particulars called for in the prescribed form, shall be furnished by the occupier of the house in which the death takes place, or, if the occupier be the person who has died, then by any adult person residing in the house in which the death took place.

(2) When a death occurs in some place other than in a house, the said personal and statistical particulars shall be furnished by any adult person present at the death, or having any knowledge of the circumstances attending the death, and by any coroner who views the body.

(3) The medical certificate on the official notice of death shall be made in the prescribed form, and signed by the physician, if any, last in attendance during the last illness of the deceased.

Death without medical attendance.

47. In case of any death occurring without medical attendance it shall be the duty of the undertaker or such other person who has charge of the burial or removal of the body to notify the Division Registrar of such death and when so notified the Division Registrar shall inform the coroner or other proper officer and refer the case to him for immediate investigation and certification prior to issuing the permit, provided that when the coroner or other officer is not a qualified physician, or where there is no such officer, and in such cases only, the Division Registrar is authorized to prepare and sign a certificate hereinbefore provided for from the statements of relatives or other persons having adequate knowledge of the fact; and any coroner who holds an inquest on the body of any deceased person and makes the certificate of death required for a burial permit, shall state

on his certificate if possible the name of the disease causing death, or, if caused by violence, the probable means of death, whether accidental, suicidal or homicidal, as determined by the inquest, and shall, in either case, furnish such information as may be required by the Registrar-General properly to classify death.

48. The undertaker, or the person acting as such, shall sign a statement by statement as to the place and date of burial or removal, giving his undertaker address.

49. The undertaker, or other person acting as undertaker, shall be responsible for obtaining and filing the official certificate of death with the Division Registrar of the division in which the death occurred, and securing from him the burial or removal permit, prior to any disposition of the body. He shall obtain the personal and statistical particulars required from some one of the persons mentioned in section 46 of this Act over his signature and address; he shall then present the official notice to the attending physician, if any, or to the health officer, or coroner, as directed by the Division Registrar, for the medical certificate of the cause of death, and other particulars necessary to complete the record, and he shall then state the facts required relative to the date and place of burial, over his signature and with his address, and present the completed certificate to the Division Registrar, who will issue permit for burial, removal or other disposition of the body. The undertaker shall deliver the burial permit to the sexton or other person in charge of the place of burial, before interring or otherwise disposing of the body; or shall attach the transit permit containing the burial or removal permit to the box containing the corpse when shipped by any transportation company; said permit to accompany the corpse to its destination, where if within the province of it shall be delivered to the sexton or other person in charge of the place of burial.

50. Every person, firm, or corporation selling a casket shall keep a record showing the name of purchaser, purchaser's post office address, name of deceased, date of death, and place of death of deceased, which record shall be open to inspection of the Registrar-General or his representative at all times. On the first day of each month the person, firm or corporation selling caskets shall report to the Registrar-General each sale for the preceding month, on a blank provided for that purpose; provided, however, that no person, firm or corporation selling caskets to dealers or undertakers only shall be required to keep such record nor shall such report be required from undertakers when they have charge of the disposition of the dead body.

(2) Every person, firm, or corporation selling a casket at retail, and not having charge of the disposition of the body, shall inclose other papers to be within casket a notice furnished by the Registrar-General calling attention to the requirements of the law, a blank certificate of death, and the rules and regulations of the Provincial Board of Health concerning the burial or other disposition of the dead body.

51. If the interment or other disposition of the body is to be made within the province, the wording of the burial permit may be as follows: "I, the undersigned, a Division Registrar over this signature, do hereby certify that a satisfactory registration of death having been made, as required by law, permission is granted to inter, remove or otherwise dispose of the body of the deceased, stating the name, age, sex, cause of death, and other necessary details upon the prescribed forms."

52. No sexton, caretaker or other person in charge of any premises in which interments are made shall inter or permit the interment or other disposition of any body, unless it is accompanied by a burial, removal or transit permit, as herein provided, and each sexton or other person in charge of any burial ground shall endorse upon the permit the date of interment over his signature.

(2) Every sexton, caretaker or other person shall keep a record, in a book supplied by the Registrar-General, of all bodies interred or otherwise disposed of on the premises under his charge, in each case stating the name of each deceased person, place of death, date of burial or disposal and name and address of the undertaker who obtained the burial or transit permit, which record shall at all times be open to official inspection; provided that the undertaker or person acting as such, when burying a body in a cemetery or burial ground having no person in charge, shall sign the burial or removal permit.

giving the date of burial or removal and shall write across the face of the permit the words "No person in charge." A coroner's warrant shall not be deemed sufficient permit.

Returns by caretakers, etc., of cemeteries.

(3) Every such sexton, caretaker or other person shall, on or before the seventh day of each month, transmit to the Division Registrar of the division in which the cemetery or burial ground is situated a return in the prescribed form of the burials therein during the previous month up to and including the last day of the month next preceding, for subsequent transmission with the semi-annual returns to the Registrar-General.

Registration of death after burial of body.

53. Where burial has taken place without registration the death may be registered, but registration shall not take place after two years from the death without the written consent of the Registrar-General.

Where body found elsewhere than in house.

(2) In the case of a body found elsewhere than in a house, and a certificate has not been given by the coroner, registration shall not be made without the like consent of the Registrar-General. The fact of such consent having been given shall be entered in the proper column of the register.

Registration of death after default.

54. The Registrar-General may register a death which has not been registered by a division registrar, provided the information is furnished in accordance with the provisions of this Act. In each such case the registration shall be made in the proper register, and the date of registration shall be made.

Registration of physicians and undertakers.

55. Every physician and undertaker shall, without delay, register his or her name, address and occupation with the division registrar of the division in which he or she resides, or may hereafter establish a residence; and shall thereupon be supplied by the Division Registrar with a copy of this Act, together with such rules and regulations as may be prepared by the Registrar-General relative to its enforcement. Within thirty days after the close of each calendar year each Division Registrar shall make a return to the Registrar-General of all physicians or undertakers who have been registered in his division during the whole or part of the preceding calendar year; provided that no fee or other compensation shall be charged by division registrars to physicians or undertakers for registering their names under this section.

Return of registration.

Proviso.

56. All superintendents or managers or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of disease, confinement or are committed by process of law, are hereby required to make a record of all the personal and statistical particulars relative to the inmates in their institutions at the date of this Act coming into force that are required in the forms of notices and shall be made by them for all future inmates at the time of their admission; and, in case of persons admitted or committed for medical treatment of disease, the physician in charge shall specify for entry in the record the nature of the disease and where, in his opinion, it was contracted. The said personal or statistical particulars shall be obtained from the individual himself if it be practicable to do so; and, when they cannot be so obtained, they shall be secured in as complete a manner as possible from relatives, friends or other persons acquainted with the facts.

Penalties.

Neglect or refusal to make returns of births.

57. Any physician or nurse in attendance upon a case of confinement or any other person charged with responsibility for reporting births, in the order named in the prescribed form, who shall neglect or refuse to file a proper notice of birth with the Division Registrar within the time required by this Act, shall be deemed guilty of an offence against this Act, and upon conviction thereof shall be fined not less than dollars and not more than dollars.

Neglect or refusal of physician to make out certificate of death or to forward notice of death.

58. If any physician, who was in medical attendance upon any deceased person at the time of death, shall neglect or refuse to make out and deliver to the undertaker, sexton or other person in charge of the interment, removal or other disposition of the body, upon request, the medical certificate of the cause of death, in the prescribed form, or neglects or refuses to deliver or transmit the notice of death in the prescribed form hereinbefore provided for, he shall be

deemed guilty of an offence against this Act, and upon conviction thereof shall be fined not less than five dollars and not more than fifty dollars; and, if any physician shall knowingly make a false statement of death in any case, he shall be deemed guilty of an offence against this Act, and upon conviction thereof shall be fined not less than fifty dollars nor more than two hundred dollars.

59. If any undertaker, sexton or other person acting as undertaker shall inter, remove or otherwise dispose of the body of any deceased person without having received a burial or removal permit as herein provided, he shall be deemed guilty of an offence against this Act and upon conviction thereof shall be fined not less than twenty dollars nor more than one hundred dollars.

60. If a Division Registrar or Sub-Registrar neglects to make any return, as required by this Act, he shall be notified by registered letter of such neglect by the Registrar-General and if after notification he fails to make such returns within five days, the Registrar-General may refuse to issue the certificate for the payment of the fees due to the Division Registrar, even though the returns should be made at a later date, and such Division Registrar shall also incur a penalty of fifty dollars.

61. Any Division Registrar or Sub-Registrar who shall neglect or fail to enforce the provisions of this Act in his division, or shall neglect or refuse to perform any of the duties imposed upon him by this Act, or by the instructions and directions of the Registrar-General, shall be deemed guilty of an offence against this Act, and upon conviction thereof shall be fined not less than one hundred dollars.

62. Any Division Registrar or Sub-Registrar who, whether himself or through any employee or representative, charges, levies or collects any fee or receives any compensation (other than that provided herein) from any person for registering any birth, death or marriage or for any service in or about such registration shall be guilty of an offence and liable upon summary conviction thereof to a penalty of not less than ten dollars nor more than twenty-five dollars.

63. Any other person or persons who shall violate any of the provisions of this Act, or who shall wilfully neglect or refuse to perform any duties imposed upon him or them by the provisions of this Act, or shall furnish false information to a physician, clergyman, undertaker, nurse, or informant, for the purpose of making incorrect registration of any birth, marriage or death, shall be deemed guilty of an offence against this Act, and upon conviction thereof shall be fined not less than five dollars nor more than one hundred dollars.

64. Any transportation company or common carrier transporting or carrying, or accepting through its agents or employees, for transportation or carriage the body of any deceased person without any accompanying permit issued in accordance with the provisions of this Act, shall be deemed guilty of an offence against this Act, and upon conviction thereof shall be fined not less than fifty dollars nor more than two hundred dollars; provided, that in case death occurred outside of the Province, and the body is accompanied by a certificate of death, burial or removal or transit permit issued in accordance with the law or board of health regulations in force where the death occurred, such death certificate, burial or removal transit permit shall be held to authorize the transportation or carriage of the body into or through the province.

65. All fines and penalties provided for by this Act shall be recoverable, with costs of prosecution, on summary conviction before a police magistrate or justice of the peace, and in default of payment of any such fine or penalty and costs the magistrate or justice shall sentence the offender to imprisonment in the common gaol of the judicial district for a period of not less than days and not more than months.

66. If a notice or certificate required by this Act to be given or made by more than one person is given or made by any such persons, the others shall not be liable to any penalty; provided, however, that this section shall not apply to a notice or certificates required to be made by a duly qualified practitioner.

67. All expenses of prosecutions under this Act not recovered from the offender, and whether or not a conviction is obtained, shall be the expenses of prosecution.

be payable by the municipality in which the offence was alleged to have been committed.

Convictions under this Act final.

68. No conviction, warrant or commitment order or any other proceeding, matter or thing made, done or transacted in or relating to the execution of this Act, shall be vacated, quashed or set aside for want of form or for any defect which does not substantially affect the justice of the case, or be removed or removable by *certiorari* or other writ or process whatsoever into any superior court.

Registration of mail matter.

69. All returns, communications and other matters required by this Act to be transmitted to the Registrar-General shall be sent through the mail. Evidence of mailing shall be proof of transmission, and no other evidence shall be accepted in defence of any prosecution for non-performance of duty.

General.

70. Each registrar shall be paid a fee for each complete registration of a birth, marriage or death in such way and manner as may be directed by the Lieutenant-Governor in Council.

